

3-13-2015

POLITICAL CONTRIBUTIONS. OUT-OF-STATE DONORS. INITIATIVE STATUTE.

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

RECEIVED

MAR 25 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: "California Independence in Statewide Elections Act", which amends Article 3 of Chapter 4 of Title 9 of the California Government Code, prohibiting out-of-state political donations to candidates, committees, and slate mailer organizations from non-residents of California, by adding Sections 84311 and 84311.5.

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

March 24, 2015

Date

Whereas it is in California's interest to protect the integrity of its elections from external influence;

Whereas individuals from other U.S. states are an external influence whose collective contributions exceeded 81.5 million dollars in 2014, specifically:

- \$10,165 from Alaska
- \$36,283 from Alabama
- \$1,587,017 from Arkansas
- \$940,804 from Arizona
- \$801,793 from Colorado
- \$494,892 from Connecticut
- \$17,362,659 from Washington, D.C.
- \$410,263 from Delaware
- \$1,761,499 from Florida
- \$554,447 from Georgia
- \$47,142 from Hawaii
- \$14,403 from Iowa
- \$35,911 from Idaho
- \$2,839,479 from Illinois
- \$807,733 from Indiana
- \$87,025 from Kansas
- \$95,705 from Kentucky
- \$41,373 from Louisiana
- \$344,503 from Massachusetts
- \$7,991,158 from Maryland
- \$17,254 from Maine
- \$1,333,749 from Michigan
- \$332,651 from Minnesota
- \$1,540,329 from Missouri
- \$52,702 from Mississippi
- \$18,484 from Montana
- \$296,177 from Nebraska
- \$1,120,769 from Nevada
- \$10,108 from New Hampshire
- \$1,524,244 from New Jersey
- \$56,534 from New Mexico
- \$20,310,346 from New York
- \$1,168,428 from North Carolina
- \$42,230 from North Dakota
- \$1,157,121 from Ohio
- \$184,127 from Oklahoma
- \$151,985 from Oregon
- \$985,728 from Pennsylvania
- \$238,993 from Rhode Island
- \$1,934,043 from South Carolina
- \$8,745 from South Dakota
- \$2,008,590 from Tennessee
- \$9,240,790 from Texas
- \$66,564 from Utah
- \$640,489 from Virginia
- \$10,266 from Vermont
- \$612,363 from Washington
- \$114,600 from Wisconsin
- \$5,525 from West Virginia
- \$87,677 from Wyoming

Whereas monetary contributions from foreign nationals, foreign governments, foreign political parties, foreign corporations, foreign associations, and foreign partnerships are already prohibited by law in order to protect the integrity of elections from external influence;

The People of California submit for circulating title and summary the "California Independence in Statewide Elections Act", to amend Article 3 of Chapter 4 of Title 9 of the California Government Code, prohibiting out-of-state political donations or contributions to candidates, committees, and slate mailer organizations from non-residents of California, by adding Sections 84311 and 84311.5.

GOVERNMENT CODE - GOV
TITLE 9. POLITICAL REFORM [81000 - 91014]

CHAPTER 4. Campaign Disclosure [84100 - 84511]

ARTICLE 3. Prohibitions [84300 – 84311.5]

84311. Out-of-State Donations

A candidate, committee, or slate mailer organization may not receive funds, directly or indirectly, made by an individual, or individuals, or by electronic means from non-residents of the State of California, except when such funds are made to a candidate for federal office, or a slate mailer organization advocating support of, or opposition to, a candidate for federal office.

84311.5. Legal Defense

If Section 84311 is added to Article 3, Chapter 4, Title 9 of the California Government Code with the approval of 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 Section 84311, 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 Section 84311 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 Section 84311. 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 Section 84311 on behalf of the State of California.

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

POLITICAL CONTRIBUTIONS. OUT-OF-STATE DONORS. INITIATIVE STATUTE.

Prohibits candidates, committees, and certain political mailer organizations from receiving funds from non-California residents. Exempts funds provided to candidates for federal office, or to political mailer organizations advocating for or against candidates for federal office. Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local government: **Increased state and local costs to administer and enforce campaign finance and disclosure laws, possibly in the range of a few hundred thousand dollars initially.**

(15-0012.)