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December 21, 2009

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Initiative Coordinator
Office of the Attorney General
State of California
PO Box 994255
Sacramento, CA 94244-25550

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INITIATIVE COORDINATOR
ATTORNEY GENERAL'S OFFICE

Re: Request for Title and Summary for Proposed Initiative
Ask Us First Taxpayer Protection Act of 2010

Dear Ms. Paris:

Pursuant to Article II, Section 10(d) of the California Constitution, I am submitting the attached proposed statewide ballot measure ("Ask Us First Taxpayer Protection Act of 2010") to your office and request that you prepare a title and summary of the measure as provided by law. I have also included with this letter the required signed statement pursuant to California Elections Code section 9608, and a check in the amount of \$200. My address as registered to vote is shown on Attachment 'A' to this letter.

Should you have any questions or require additional information, please contact me at 455 Capitol Mall, Suite 801, Sacramento, CA 95814 or (916) 442-7757. Thank you.

Very truly yours,

Thomas W. Hiltachk

INITIATIVE MEASURE TO BE SUBMITTED TO VOTERS

SECTION 1. STATEMENT OF FINDINGS

- A. Californians are among the highest taxed citizens of any state in the nation.
- B. Recently the Legislature raised taxes by over \$12 billion, and it would have doubled the amount of that tax increase if not stopped by the voters.
- C. Voters already have the right to vote on local taxes. It makes sense that voters should also have the right to vote on state taxes.

SECTION 2. STATEMENT OF PURPOSE

The people hereby enact the "Ask Us First Taxpayer Protection Act of 2010" to require voter approval for any new, extended, or increased state tax.

SECTION 3. AMENDMENT TO CONSTITUTION

Section 3 of Article XIII A is hereby amended to read:

Sec. 3 The Legislature shall not:

- (a) Impose, extend, or increase any state tax on any taxpayer except by a bill passed in each house by a rollcall vote entered in the journal, two-thirds of the membership concurring, and submitted to the electorate and approved by a majority vote. A tax necessary for the purpose of funding expenditures relating to an emergency as provided in section 3(c) of Article XIII B, may become effective immediately without voter approval if the tax expires prior to the first statewide election held in the calendar year following the calendar year of the emergency. From and after the effective date of this article, any changes in State taxes except enacted for the purpose of increasing revenues collected pursuant thereto whether by increased rates or changes in methods of computation must be imposed by an Act passed by not less than two-thirds of all members elected to each of the two houses of the Legislature, except that no new ad valorem taxes on real property, or sales or transaction taxes on the sales of real property may be imposed.
- (b) Impose any tax, fee, or assessment on real property, or on the sale or transfer of real property.

SECTION 4. GENERAL PROVISIONS

- A. If any provision of this measure, or part thereof, is for any reason held to be invalid or unconstitutional, the remaining provisions shall not be affected, but shall remain in full force and effect, and to this end the provisions of this measure are severable.
- B. This measure is intended to be comprehensive. If this measure and another measure or measures relating to the same subject appear on the same statewide ballot, the other

measure or measures shall be deemed to be in conflict with this measure. If this measure receives a greater number of affirmative votes, the provisions of this measure shall prevail in their entirety, and all provisions of the other measure or measures shall be null and void.

- C. The provisions of this Act shall be liberally construed to further the purposes stated. In any legal action to enforce the provisions of this Act, the burden shall be on the state or local government to prove compliance with the provisions herein.