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INITIATIVE COORDINATOR
ATTORNEY GENERAL'S OFFICE

Office of Attorney General
ATTN: Dawn McFarland, Initiative Coordinator
1300 I Street
Sacramento, CA 95814

November 18, 2011

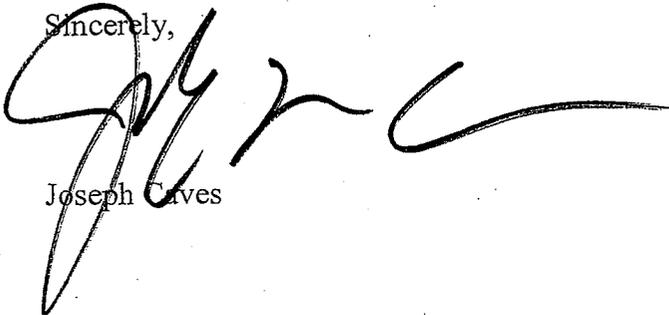
Dear Ms. McFarland,

I am submitting a second version of the "Polluter Accountability Act" for a proposed statewide ballot measure. I hereby request the Attorney General prepare a circulating title and summary of the chief purpose and point of the initiative measure, pursuant to Elections Code Section 9001 (a).

Enclosed please find a draft of the initiative, a \$200 check payable to the State of California, my signed statements and home address.

Thank you.

Sincerely,



Joseph Caves

POLLUTER ACCOUNTABILITY ACT (Version 2)

Section One: Findings

(a) The costs of pollution and damage to natural resources and public health should be paid for by those that cause the pollution rather than taxpayers.

(b) Current law unfairly raises costs to taxpayers by protecting polluting companies from paying for the damages their activities cause to public health and the environment.

(c) This initiative is designed to establish the "polluter pay" policy and set reasonable rules for imposing fees and penalties on activities that harm public health and the environment.

Section 3.5 of Article XIII A is added to State Constitution to read:

Section 3.5(a) It is the policy of the state that polluters should pay for the costs of cleaning up and mitigating their pollution, including impacts to public health and damage to the environment, rather than imposing the costs on taxpayers.

(b) The Legislature may authorize by statute, approved by a majority of all members elected to each of the two houses of the Legislature, fees, penalties or charges on activities that pollute the air or the waters of the state, damage other natural resources held in trust for the public, or that harm public health. Any such statute shall include provisions that require the funds raised be used solely to mitigate the actual or anticipated adverse impacts of the activities subject to the fees, penalties or charges including reasonable enforcement costs and costs to reduce or prevent future impacts from the pollution or activity subject to the fees, penalties or charges. The amount of any fee, penalty or charge shall bear a reasonable relationship to the cost of mitigating the adverse effects of the pollution or activity subject to the fee, penalty or charge.

(c) The provisions of Section 3 shall not apply to fees, penalties or charges imposed pursuant to this section.