

File No. 180808

Committee Item No. \_\_\_\_\_

Board Item No. 31

## COMMITTEE/BOARD OF SUPERVISORS

### AGENDA PACKET CONTENTS LIST

Committee: \_\_\_\_\_

Date: \_\_\_\_\_

Board of Supervisors Meeting

Date: September 4, 2018

#### Cmte Board

- Motion
- Resolution
- Ordinance
- Legislative Digest
- Budget and Legislative Analyst Report
- Youth Commission Report
- Introduction Form
- Department/Agency Cover Letter and/or Report
- MOU
- Grant Information Form
- Grant Budget
- Subcontract Budget
- Contract/Agreement
- Form 126 – Ethics Commission
- Award Letter
- Application
- Public Correspondence

#### OTHER

- California State Proposition 6
- \_\_\_\_\_
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Prepared by: Jocelyn Wong

Date: August 30, 2018

Prepared by: \_\_\_\_\_

Date: \_\_\_\_\_

1 [Opposing California State Proposition 6 on the November 6, 2018, Ballot]

2  
3 **Resolution opposing California State Proposition 6 on the November 6, 2018, ballot, the**  
4 **Voter Approval for Future Gas and Vehicle Taxes and 2017 Tax Repeal Initiative, which**  
5 **would repeal the Road Repair and Accountability Act of 2017 and require voter**  
6 **approval to impose, increase, or extend any future fuel tax or vehicle fee.**

7  
8 WHEREAS, Proposition 6 is an initiated constitutional amendment on the November 6,  
9 2018, ballot that would repeal the California Road Repair and Accountability Act of 2017 and  
10 require voter approval for the California State Legislature to impose, increase, or extend fuel  
11 taxes or vehicle fees in the future; and

12 WHEREAS, The Road Repair and Accountability Act of 2017, also known as Senate  
13 Bill 1 (SB 1), increased the gas tax by \$0.12 per gallon, increased the diesel fuel tax by \$0.20  
14 per gallon, and increased the sales tax on diesel fuels by an additional 4 percentage points,  
15 which increases are expected to generate an estimated \$52.4 billion over the next ten years  
16 dedicated to transportation infrastructure; and

17 WHEREAS, On June 5, 2018, an overwhelming 80% of California voters approved  
18 Proposition 69, which requires that revenue from the diesel sales tax and Transportation  
19 Improvement Fee enacted by the Road Repair and Accountability Act of 2017 be used for  
20 transportation-related purposes across the state; and

21 WHEREAS, Increasing a tax in California currently requires a two-thirds vote of each  
22 state legislative chamber and the governor's signature – already a substantial threshold – and  
23 Proposition 6 would create the additional prospective burden of requiring voter approval prior  
24 to any fuel tax or vehicle fee increase, imperiling the State Legislature's ability to respond to  
25 existing and future transportation infrastructure needs; and

1           WHEREAS, By stripping millions of dollars in funding from local and regional  
2 transportation planning grants and local streets maintenance, Proposition 6 would result in the  
3 cancellation or delay of critical infrastructure projects aimed at improving the safety and  
4 efficiency of California's transportation system; and

5           WHEREAS, At the July 24, 2018, meeting of the San Francisco County Transportation  
6 Authority Board of Directors, the Board reviewed, discussed and ultimately unanimously  
7 opposed Proposition 6; and

8           WHEREAS, By declaring its opposition to Proposition 6, the San Francisco County  
9 Transportation Authority joined California Governor Jerry Brown, the California Chamber of  
10 Commerce and a broad base of business, labor, local government and transportation  
11 advocates across the State; now, therefore, be it

12           RESOLVED, That the City and County of San Francisco hereby opposes Proposition 6,  
13 which would strip billions of dollars in funding from transportation infrastructure while  
14 hamstringing the California State Legislature to impose, increase, or extend fuel taxes or  
15 vehicle fees in the future; and, be it

16           FURTHER RESOLVED, That the Clerk of the Board of the City and County of San  
17 Francisco is hereby directed to communicate this position to all relevant parties.

BELL, McANDREWS & HILTACHK, LLP

ATTORNEYS AND COUNSELORS AT LAW

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RECEIVED

OCT 13 2017

INITIATIVE COORDINATOR  
ATTORNEY GENERAL'S OFFICE

October 13, 2017

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

Re: Amendment of Proposed Initiative No. 17-0033 "Voter Approval for Increases in Gas and Car Tax"

Dear Initiative Coordinator:

With this letter I submit an amendment to the above-referenced proposed statewide initiative measure in accordance with Elections Code section 9002. I am the proponent of the measure and a registered voter in the State of California. Please prepare a circulating title and summary of the measure using the amended language as provided by law.

Enclosed with this letter please find the text of the proposed measure as amended.

Thank you for your attention to processing my request.

Respectfully Submitted,



Thomas W. Hiltachk

## INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

## SECTION 1. STATEMENT OF FINDINGS AND PURPOSES

- (a) California's taxes on gasoline and car ownership are among the highest in the nation.
- (b) These taxes have been raised without the consent of the people.
- (c) Therefore, the people hereby amend the Constitution to require voter approval of the recent increase in the gas and car tax enacted by Chapter 5 of the Statutes of 2017 and any future increases in the gas and car tax.

## SECTION 2. VOTER APPROVAL FOR INCREASES IN GAS AND CAR TAX

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

Sec. 3.5(a) Notwithstanding any other provision of law, the Legislature shall not impose, increase or extend any tax, as defined in section 3, on the sale, storage, use or consumption of motor vehicle gasoline or diesel fuel, or on the privilege of a resident of California to operate on the public highways a vehicle, or trailer coach, unless and until that proposed tax is submitted to the electorate and approved by a majority vote.

(b) This section does not apply to taxes on motor vehicle gasoline or diesel fuel, or on the privilege of operating a vehicle or trailer coach at the rates that were in effect on January 1, 2017. Any increase in the rate of such taxes imposed after January 1, 2017 shall cease to be imposed unless and until approved by the electorate as required by this section.

Print Form

# Introduction Form

By a Member of the Board of Supervisors or Mayor

RECEIVED  
 BOARD OF SUPERVISORS  
 SAN FRANCISCO  
 20 18 JUL 31 PM 4:52  
 Time stamp  
 BY \_\_\_\_\_ or meeting date

I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee. (An Ordinance, Resolution, Motion or Charter Amendment).
- 2. Request for next printed agenda Without Reference to Committee.
- 3. Request for hearing on a subject matter at Committee.
- 4. Request for letter beginning : "Supervisor [ ] inquiries"
- 5. City Attorney Request.
- 6. Call File No. [ ] from Committee.
- 7. Budget Analyst request (attached written motion).
- 8. Substitute Legislation File No. [ ]
- 9. Reactivate File No. [ ]
- 10. Topic submitted for Mayoral Appearance before the BOS on [ ]

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- Small Business Commission
- Youth Commission
- Ethics Commission
- Planning Commission
- Building Inspection Commission

**Note: For the Imperative Agenda (a resolution not on the printed agenda), use the Imperative Form.**

Sponsor(s):

Peskin

Subject:

[Resolution Opposing CA State Proposition 6 on the November 6, 2018 Ballot]

The text is listed:

Resolution opposing California State Proposition 6 on the November 6, 2018 ballot, the Voter Approval for Future Gas and Vehicle Taxes and 2017 Tax Repeal Initiative, which would repeal the Road Repair and Accountability Act of 2017 and require voter approval to impose, increase, or extend any future fuel tax or vehicle fee.

Signature of Sponsoring Supervisor:

For Clerk's Use Only