



DEBRA BOWEN | SECRETARY OF STATE
STATE OF CALIFORNIA | ELECTIONS

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March 4, 2009

County Clerk/Registrar of Voters (CC/ROV) Memorandum #09028

TO: All County Clerks/Registrars of Voters

FROM:


Joanna Southard
Assistant Chief, Elections Division

RE: May Statewide Special: Election Calendar

Attached is a copy of the May 19, 2009, Statewide Special Election calendar and a copy of Senate Bill 19, as chaptered on February 20, 2009, calling the election. Both can also be found on our website at <http://www.sos.ca.gov/elections/statewide-special-election-051909/may-19-2009-statewide-special-election.htm>. As soon as we receive any final court judgments on the ballot labels currently on public display, we will forward them to you.

Attachments



GOVERNOR ARNOLD SCHWARZENEGGER

FEB 20 2009

To the Members of the California State Senate:

I am signing Senate Bill 19 of the Third Extraordinary Session.

This bill is a crucial component of the recently approved budget package. It calls for a May 19 special election to consider six important initiatives, including a constitutional amendment to enact a rainy day budget stabilization fund.

However, calling a special election does not come without costs to California counties. As such, I am signing this measure with the understanding that the Legislature will reimburse counties for the costs of the election as soon as possible.

Sincerely,

A handwritten signature in black ink, appearing to read "Arnold Schwarzenegger".

Arnold Schwarzenegger

Senate Bill No. 19

CHAPTER 7

An act calling an election, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor February 20, 2009. Filed with
Secretary of State February 20, 2009.]

LEGISLATIVE COUNSEL'S DIGEST

SB 19, Ducheny. Elections.

Existing law provides that the Secretary of State is the chief elections officer of the state and requires the Secretary of State to perform specified duties, including preparing and mailing ballot pamphlets, in connection with any statewide election. Existing law further requires the Attorney General to provide for each ballot measure submitted to the voters of the state a ballot title, an official summary, and a ballot label that shall be a condensed statement of the ballot title. Existing law requires that every measure submitted to the voters comply with a specified schedule leading up to the day of the election.

This bill would call a statewide special election to be held on May 19, 2009. The bill would place 6 measures before the voters at that election, including (1) a legislative constitutional amendment relating to budget reform, (2) a legislative constitutional amendment relating to education finance, (3) a legislative measure relating to the California State Lottery, (4) a legislative measure relating to Proposition 10 approved by the voters at the November 3, 1998, statewide general election, (5) a legislative measure relating to Proposition 63 approved by the voters at the November 2, 2004, statewide general election, and (6) a legislative constitutional amendment relating to the pay of state officers in the event there is an operating deficit in the state budget. This bill would further set forth language to be used for the ballot labels and the ballot titles and summaries for those measures. In addition, this bill would waive certain statutory deadlines for placement of those measures before the voters at the May 19, 2009, statewide special election, and would specify that the ballot label public examination period be limited to 8 days.

This bill would place before the voters at the June 8, 2010, statewide primary election a legislative constitutional amendment relating to open primary elections. This bill would also set forth language to be used for the ballot label and the ballot title and summary for that measure.

The California Constitution authorizes the Governor to declare a fiscal emergency and to call the Legislature into special session for that purpose. The Governor issued a proclamation declaring a fiscal emergency, and calling a special session for this purpose, on December 19, 2008.

This bill would state that it addresses the fiscal emergency declared by the Governor by proclamation issued on December 19, 2008, pursuant to the California Constitution.

This bill would declare that it is to take effect immediately as an act calling an election.

This bill would declare that it is to take effect immediately as an urgency statute.

The people of the State of California do enact as follows:

SECTION 1. A statewide special election is hereby called to be held throughout the state on May 19, 2009. Notwithstanding Sections 10403 and 10406 of the Elections Code or any other provision of law, any county, municipal, district, or other election scheduled to be held during the period from May 19, 2009, to June 2, 2009, inclusive, may be scheduled and held on May 19, 2009, and consolidated with the statewide special election called by this act.

SEC. 2. (a) Notwithstanding Sections 9040, 9043, 9044, 9061, and 9082 of the Elections Code or any other provision of law, the Secretary of State shall submit Senate Constitutional Amendment 13 of the 2007–08 Regular Session, as amended by Assembly Constitutional Amendment 1 or Senate Constitutional Amendment 1 of the 2009–10 Third Extraordinary Session, to the voters at the May 19, 2009, statewide special election.

(b) Notwithstanding Sections 13115 and 13117 of the Elections Code, the measure described in subdivision (a) shall be placed as the first ballot measure on the May 19, 2009, statewide special election ballot and shall be designated as Proposition 1A.

(c) (1) Notwithstanding Sections 13247 and 13281 of the Elections Code or any other provision of law, all ballots for the May 19, 2009, statewide special election shall have printed thereon as the ballot label for Proposition 1A the following:

“‘RAINY DAY’ BUDGET STABILIZATION FUND. Reforms the budget process. Limits future deficits and overspending by increasing the size of the state ‘rainy day’ fund and requiring above-average revenues to be deposited into it, for use during economic downturns.”

(2) Notwithstanding any other provision of law, the language in paragraph (1) shall be the only language included in the ballot label for the condensed statement of the ballot title, and the Attorney General shall not supplement, subtract from, or revise that language, except that the Attorney General shall include the financial impact summary prepared pursuant to Section 9087 of the Elections Code and Section 88003 of the Government Code. The ballot label is the condensed statement of the ballot title and the financial impact summary.

(d) (1) Notwithstanding Sections 9050, 9053, and 9086 of the Elections Code or any other provision of law, the Secretary of State shall use the following as the ballot title and summary for Proposition 1A:

“STABILIZES STATE BUDGET. REFORMS CALIFORNIA BUDGET PROCESS. LIMITS STATE SPENDING. INCREASES ‘RAINY DAY’ BUDGET STABILIZATION FUND. Increases size of state ‘rainy day’ fund from 5% to 12.5% of the General Fund. A portion of the annual deposits into that fund would be dedicated to savings for future economic downturns, and the remainder would be available to fund education, infrastructure, and debt repayment, or for use in a declared emergency. Requires additional revenue above historic trends to be deposited into state ‘rainy day’ fund, limiting unsustainable spending of one-time spikes in revenue.”

(2) Notwithstanding any other provision of law, the language in paragraph (1) shall be the only language included in the ballot title and summary, and the Attorney General shall not supplement, subtract from, or revise that language, except that the Attorney General shall include the financial impact summary prepared pursuant to Section 9087 of the Elections Code and Section 88003 of the Government Code.

(e) At the appropriate location on the ballot, in the manner prescribe by law, there shall be provided the opportunity for voters to indicate whether they vote for or against the measure.

(f) Where the voting in the election is done by means of voting machines used pursuant to law in the manner that carries out the intent of this section, the use of the voting machines and the expression of the voters’ choices by means thereof are in compliance with this section.

SEC. 3. (a) Notwithstanding Sections 9040, 9043, 9044, 9061, and 9082 of the Elections Code or any other provision of law, the Secretary of State shall submit Assembly Constitutional Amendment 2 or Senate Constitutional Amendment 2 of the 2009–10 Third Extraordinary Session to the voters at the May 19, 2009, statewide special election.

(b) Notwithstanding Sections 13115 and 13117 of the Elections Code, the measure described in subdivision (a) shall be placed as the second ballot measure on the May 19, 2009, statewide special election ballot and shall be designated as Proposition 1B.

(c) (1) Notwithstanding Sections 13247 and 13281 of the Elections Code or any other provision of law, all ballots for the May 19, 2009, statewide special election shall have printed thereon as the ballot label for Proposition 1B the following:

“EDUCATION FUNDING. PAYMENT PLAN. Requires supplemental payments to local school districts and community colleges to address recent budget cuts.”

(2) Notwithstanding any other provision of law, the language in paragraph (1) shall be the only language included in the ballot label for the condensed

statement of the ballot title, and the Attorney General shall not supplement, subtract from, or revise that language, except that the Attorney General shall include the financial impact summary prepared pursuant to Section 9087 of the Elections Code and Section 88003 of the Government Code. The ballot label is the condensed statement of the ballot title and the financial impact summary.

(d) (1) Notwithstanding Sections 9050, 9053, and 9086 of the Elections Code or any other provision of law, the Secretary of State shall use the following as the ballot title and summary for Proposition 1B:

“EDUCATION FUNDING. PAYMENT PLAN. Requires supplemental payments to local school districts and community colleges to address recent budget cuts. Annual payments begin in 2011–12. Payments are funded from the state’s Budget Stabilization Fund until the total amount has been paid. Payments to local school districts will be allocated in proportion to average daily attendance and may be used for classroom instruction, textbooks and other local educational programs.”

(2) Notwithstanding any other provision of law, the language in paragraph (1) shall be the only language included in the ballot title and summary, and the Attorney General shall not supplement, subtract from, or revise that language, except that the Attorney General shall include the financial impact summary prepared pursuant to Section 9087 of the Elections Code and Section 88003 of the Government Code.

(e) At the appropriate location on the ballot, in the manner prescribe by law, there shall be provided the opportunity for voters to indicate whether they vote for or against the measure.

(f) Where the voting in the election is done by means of voting machines used pursuant to law in the manner that carries out the intent of this section, the use of the voting machines and the expression of the voters’ choices by means thereof are in compliance with this section.

SEC. 4. (a) Notwithstanding Sections 9040, 9043, 9044, 9061, and 9082 of the Elections Code or any other provision of law, the Secretary of State shall submit to the voters as a single measure at the May 19, 2009, statewide special election Senate Constitutional Amendment 12 of the 2007–08 Regular Session and the provisions of Sections 1 to 7, inclusive, Section 12, and Sections 14 to 17, inclusive, of Assembly Bill 1654 of the 2007–08 Regular Session, as amended by Assembly Bill 12 or Senate Bill 12 of the 2009–10 Third Extraordinary Session.

(b) Notwithstanding Sections 13115 and 13117 of the Elections Code, the measure described in subdivision (a) shall be placed as the third ballot measure on the May 19, 2009, statewide special election ballot and shall be designated as Proposition 1C.

(c) (1) Notwithstanding Sections 13247 and 13281 of the Elections Code or any other provision of law, all ballots for the May 19, 2009, statewide special election shall have printed thereon as the ballot label for Proposition 1C the following:

“LOTTERY MODERNIZATION ACT. Allows the state lottery to be modernized to improve its performance with increased payouts, improved marketing, and effective management. Requires the state to maintain ownership of the lottery and authorizes additional accountability measures. Protects funding levels for schools currently provided by lottery revenues. Increased lottery revenues will be used to address current budget deficit and reduce the need for additional tax increases and cuts to state programs.”

(2) Notwithstanding any other provision of law, the language in paragraph (1) shall be the only language included in the ballot label for the condensed statement of the ballot title, and the Attorney General shall not supplement, subtract from, or revise that language, except that the Attorney General shall include the financial impact summary prepared pursuant to Section 9087 of the Elections Code and Section 88003 of the Government Code. The ballot label is the condensed statement of the ballot title and the financial impact summary.

(d) (1) Notwithstanding Sections 9050, 9053, and 9086 of the Elections Code or any other provision of law, the Secretary of State shall use the following as the ballot title and summary for Proposition 1C:

“LOTTERY MODERNIZATION ACT. Allows the state lottery to be modernized to improve its performance with increased payouts, improved marketing, and effective management. Requires the state to maintain ownership of the lottery and authorizes additional accountability measures. Protects funding levels for schools currently provided by lottery revenues. Increased lottery revenues will be used to address current budget deficit and reduce the need for additional tax increases and cuts to state programs.”

(2) Notwithstanding any other provision of law, the language in paragraph (1) shall be the only language included in the ballot title and summary, and the Attorney General shall not supplement, subtract from, or revise that language, except that the Attorney General shall include the financial impact summary prepared pursuant to Section 9087 of the Elections Code and Section 88003 of the Government Code.

(e) At the appropriate location on the ballot, in the manner prescribe by law, there shall be provided the opportunity for voters to indicate whether they vote for or against the measure.

(f) Where the voting in the election is done by means of voting machines used pursuant to law in the manner that carries out the intent of this section, the use of the voting machines and the expression of the voters’ choices by means thereof are in compliance with this section.

SEC. 5. (a) Notwithstanding Sections 9040, 9043, 9044, 9061, and 9082 of the Elections Code or any other provision of law, the Secretary of State shall submit the provisions of Assembly Bill 17 or Senate Bill 17 of the 2009–10 Third Extraordinary Session to the voters at the May 19, 2009, statewide special election.

(b) Notwithstanding Sections 13115 and 13117 of the Elections Code, the measure described in subdivision (a) shall be placed as the fourth ballot measure on the May 19, 2009, statewide special election ballot and shall be designated as Proposition 1D.

(c) (1) Notwithstanding Sections 13247 and 13281 of the Elections Code or any other provision of law, all ballots for the May 19, 2009, statewide special election shall have printed thereon as the ballot label for Proposition 1D the following:

“CHILDREN’S SERVICES FUNDING. Temporarily provides greater flexibility in funding to preserve health and human services for young children while helping balance the state budget in a difficult economy.”

(2) Notwithstanding any other provision of law, the language in paragraph (1) shall be the only language included in the ballot label for the condensed statement of the ballot title, and the Attorney General shall not supplement, subtract from, or revise that language, except that the Attorney General shall include the financial impact summary prepared pursuant to Section 9087 of the Elections Code and Section 88003 of the Government Code. The ballot label is the condensed statement of the ballot title and the financial impact summary.

(d) (1) Notwithstanding Sections 9050, 9053, and 9086 of the Elections Code or any other provision of law, the Secretary of State shall use the following as the ballot title and summary for Proposition 1D:

“PROTECTS CHILDREN’S SERVICES FUNDING. HELPS BALANCE STATE BUDGET. Provides more than \$600 million to protect children’s programs in difficult economic times. Redirects existing tobacco tax money to protect health and human services for children, including services for at-risk families, services for children with disabilities, and services for foster children. Temporarily allows the redirection of existing money to fund health and human service programs for children 5 years old and under. Ensures counties retain funding for local priorities. Helps balance state budget.”

(2) Notwithstanding any other provision of law, the language in paragraph (1) shall be the only language included in the ballot title and summary, and the Attorney General shall not supplement, subtract from, or revise that language, except that the Attorney General shall include the financial impact summary prepared pursuant to Section 9087 of the Elections Code and Section 88003 of the Government Code.

(e) At the appropriate location on the ballot, in the manner prescribe by law, there shall be provided the opportunity for voters to indicate whether they vote for or against the measure.

(f) Where the voting in the election is done by means of voting machines used pursuant to law in the manner that carries out the intent of this section,

the use of the voting machines and the expression of the voters' choices by means thereof are in compliance with this section.

SEC. 6. (a) Notwithstanding Sections 9040, 9043, 9044, 9061, and 9082 of the Elections Code or any other provision of law, the Secretary of State shall submit Assembly Bill 10 or Senate Bill 10 of the 2009–10 Third Extraordinary Session to the voters at the May 19, 2009, statewide special election.

(b) Notwithstanding Sections 13115 and 13117 of the Elections Code, the measure described in subdivision (a) shall be placed as the fifth ballot measure on the May 19, 2009, statewide special election ballot and shall be designated as Proposition 1E.

(c) (1) Notwithstanding Sections 13247 and 13281 of the Elections Code or any other provision of law, all ballots for the May 19, 2009, statewide special election shall have printed thereon as the ballot label for Proposition 1E the following:

“MENTAL HEALTH FUNDING BUDGET. Helps balance the state budget and preserve funding for children’s mental health services by providing temporary flexibility in the Mental Health Services Act to fund the Early and Periodic Screening, Diagnosis, and Treatment Program for children.”

(2) Notwithstanding any other provision of law, the language in paragraph (1) shall be the only language included in the ballot label for the condensed statement of the ballot title, and the Attorney General shall not supplement, subtract from, or revise that language, except that the Attorney General shall include the financial impact summary prepared pursuant to Section 9087 of the Elections Code and Section 88003 of the Government Code. The ballot label is the condensed statement of the ballot title and the financial impact summary.

(d) (1) Notwithstanding Sections 9050, 9053, and 9086 of the Elections Code or any other provision of law, the Secretary of State shall use the following as the ballot title and summary for Proposition 1E:

“ENSURES FUNDING FOR CHILDREN’S MENTAL HEALTH SERVICES. HELPS BALANCE STATE BUDGET. Guarantees that certain funding intended for mental health programs goes toward mental health services for children. Provides a temporary, two-year flexibility in the Mental Health Services Act (Proposition 63 of 2004) to allow the state to fund the Early and Periodic Screening, Diagnosis, and Treatment Program for children and young adults under age 21. Guarantees and protects more than \$225 million in flexible funding for mental health programs. Helps balance state budget during this difficult economic time.”

(2) Notwithstanding any other provision of law, the language in paragraph (1) shall be the only language included in the ballot title and summary, and the Attorney General shall not supplement, subtract from, or revise that

language, except that the Attorney General shall include the financial impact summary prepared pursuant to Section 9087 of the Elections Code and Section 88003 of the Government Code.

(e) At the appropriate location on the ballot, in the manner prescribe by law, there shall be provided the opportunity for voters to indicate whether they vote for or against the measure.

(f) Where the voting in the election is done by means of voting machines used pursuant to law in the manner that carries out the intent of this section, the use of the voting machines and the expression of the voters' choices by means thereof are in compliance with this section.

SEC. 7. (a) Notwithstanding Sections 9040, 9043, 9044, 9061, and 9082 of the Elections Code or any other provision of law, the Secretary of State shall submit Senate Constitutional Amendment 8 of the 2009–10 Regular Session to the voters at the May 19, 2009, statewide special election.

(b) Notwithstanding Sections 13115 and 13117 of the Elections Code, the measure described in subdivision (a) shall be placed as the sixth ballot measure on the May 19, 2009, statewide special election ballot and shall be designated as Proposition 1F.

(c) (1) Notwithstanding Sections 13247 and 13281 of the Elections Code or any other provision of law, all ballots for the May 19, 2009, statewide special election shall have printed thereon as the ballot label for Proposition 1F the following:

“ELECTED OFFICIALS’ SALARIES. PREVENTS PAY INCREASES DURING BUDGET DEFICIT YEARS. Encourages balanced state budgets by preventing elected Members of the Legislature and statewide constitutional officers, including the Governor, from receiving pay raises in years when the state is running a deficit. Directs the Director of Finance to determine whether a given year is a deficit year. Prevents the Citizens Compensation Commission from increasing elected officials’ salaries in years when the state Special Fund for Economic Uncertainties is in the negative by an amount equal to or greater than one percent of the General Fund.”

(2) Notwithstanding any other provision of law, the language in paragraph (1) shall be the only language included in the ballot label for the condensed statement of the ballot title, and the Attorney General shall not supplement, subtract from, or revise that language, except that the Attorney General shall include the financial impact summary prepared pursuant to Section 9087 of the Elections Code and Section 88003 of the Government Code. The ballot label is the condensed statement of the ballot title and the financial impact summary.

(d) (1) Notwithstanding Sections 9050, 9053, and 9086 of the Elections Code or any other provision of law, the Secretary of State shall use the following as the ballot title and summary for Proposition 1F:

“ELECTED OFFICIALS’ SALARIES. PREVENTS PAY INCREASES DURING BUDGET DEFICIT YEARS. Encourages balanced state budgets by preventing elected Members of the Legislature and statewide constitutional officers, including the Governor, from receiving pay raises in years when the state is running a deficit. Directs the Director of Finance to determine whether a given year is a deficit year. Prevents the Citizens Compensation Commission from increasing elected officials’ salaries in years when the state Special Fund for Economic Uncertainties is in the negative by an amount equal to or greater than one percent of the General Fund.”

(2) Notwithstanding any other provision of law, the language in paragraph (1) shall be the only language included in the ballot title and summary, and the Attorney General shall not supplement, subtract from, or revise that language, except that the Attorney General shall include the financial impact summary prepared pursuant to Section 9087 of the Elections Code and Section 88003 of the Government Code.

(e) At the appropriate location on the ballot, in the manner prescribe by law, there shall be provided the opportunity for voters to indicate whether they vote for or against the measure.

(f) Where the voting in the election is done by means of voting machines used pursuant to law in the manner that carries out the intent of this section, the use of the voting machines and the expression of the voters’ choices by means thereof are in compliance with this section.

SEC. 8. (a) The Secretary of State shall include in the ballot pamphlets for the May 19, 2009, statewide special election, mailed pursuant to Section 9094 of the Elections Code, the information specified in Section 9084 of the Elections Code regarding all of the following:

- (1) Proposition 1A, as described in subdivision (a) of Section 2.
- (2) Proposition 1B, as described in subdivision (a) of Section 3.
- (3) Proposition 1C, as described in subdivision (a) of Section 4.
- (4) Proposition 1D, as described in subdivision (a) of Section 5.
- (5) Proposition 1E, as described in subdivision (a) of Section 6.
- (6) Proposition 1F, as described in subdivision (a) of Section 7.

(b) Notwithstanding Section 9054 of the Elections Code or any other provision of law, the translations of the ballot titles and the condensed statements of the ballot titles required pursuant to Section 9054 may be made available for public examination at a later date than the start of the public examination period for the ballot pamphlet, provided that the translations of the ballot titles and the condensed statements of the ballot titles must remain available for public examination for eight days.

(c) Notwithstanding Section 13282 of the Elections Code or any other provision of law, the public shall be permitted to examine the condensed statements of the ballot titles for eight days. Any voter may seek a writ of mandate for the purpose of requiring the condensed statements of the ballot titles, or portions thereof, to be amended or deleted only within that eight-day period.

SEC. 9. (a) Notwithstanding Section 9040 of the Elections Code or any other provision of law, the Secretary of State shall submit Senate Constitutional Amendment 4 of the 2009–10 Regular Session to the voters at the June 8, 2010, statewide primary election.

(b) (1) Notwithstanding Sections 13247 and 13281 of the Elections Code or any other provision of law, all ballots for the June 8, 2010, statewide primary election shall have printed thereon as the ballot label for the measure described in subdivision (a) the following:

“ELECTIONS. PRIMARIES. GREATER PARTICIPATION IN ELECTIONS. Reforms the primary election process for congressional, statewide, and legislative races. Allows all voters to choose any candidate regardless of the candidate’s or voter’s political party preference. Ensures that the two candidates receiving the greatest number of votes will appear on the general election ballot regardless of party preference.”

(2) Notwithstanding any other provision of law, the language in paragraph (1) shall be the only language included in the ballot label for the condensed statement of the ballot title, and the Attorney General shall not supplement, subtract from, or revise that language, except that the Attorney General shall include the financial impact summary prepared pursuant to Section 9087 of the Elections Code and Section 88003 of the Government Code. The ballot label is the condensed statement of the ballot title and the financial impact summary.

(c) (1) Notwithstanding Sections 9050, 9053, and 9086 of the Elections Code or any other provision of law, the Secretary of State shall use the following as the ballot title and summary for the measure described in subdivision (a):

“PRIMARY ELECTION PROCESS REFORM. GREATER PARTICIPATION IN ELECTIONS. Encourages increased participation in elections for congressional, legislative, and statewide offices by reforming the procedure by which candidates are selected in primary elections. Gives voters increased options by allowing all voters to choose any candidate regardless of the candidate’s or voter’s political party preference. Ensures that the two candidates receiving the greatest number of votes will appear on the general election ballot regardless of party preference. Does not change primary elections for President, party committee offices, and nonpartisan offices.”

(2) Notwithstanding any other provision of law, the language in paragraph (1) shall be the only language included in the ballot title and summary, and the Attorney General shall not supplement, subtract from, or revise that language, except that the Attorney General shall include the financial impact summary prepared pursuant to Section 9087 of the Elections Code and Section 88003 of the Government Code.

(d) At the appropriate location on the ballot, in the manner prescribe by law, there shall be provided the opportunity for voters to indicate whether they vote for or against the measure.

(e) Where the voting in the election is done by means of voting machines used pursuant to law in the manner that carries out the intent of this section, the use of the voting machines and the expression of the voters' choices by means thereof are in compliance with this section.

(f) The Secretary of State shall include in the ballot pamphlet for the June 8, 2010, statewide primary election, mailed pursuant to Section 9094 of the Elections Code, the information specified in Section 9084 of the Elections Code regarding the measure described in subdivision (a).

SEC. 10. This act addresses the fiscal emergency declared by the Governor by proclamation on December 19, 2008, pursuant to subdivision (f) of Section 10 of Article IV of the California Constitution.

SEC. 11. This act calls an election within the meaning of Article IV of the Constitution and shall go into immediate effect.

SEC. 12. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to ensure that the measures identified in this act be placed on the ballot for the approval of the people at the earliest possible time to address the state's current budgetary crisis, it is necessary that this act take effect immediately.

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ELECTION CALENDAR

STATEWIDE SPECIAL ELECTION – May 19, 2009

NOTE: Asterisked dates indicate that the deadline falls on a Saturday, Sunday, or a holiday; in most cases, the deadline will move forward to the next business day. § 15

- Feb 20, 2009
(E-88)
1. **Election Called**
On this date, SB 19 (Ch. 7, 2009) of the Third Extraordinary Session called a statewide special election for May 19, 2009.
- Feb 20, 2009
(E-88)
2. **State Measures - News Release Inviting Arguments**
On this date, the Secretary of State will issue a general news release requesting voters to submit an argument in each case where either the argument for or against any measure has not been prepared and filed.
§§ 9060, 9062, 9063
- Feb 23, 2009
5:00 p.m.
(E-85)
(Date set by
Secretary of State)
3. **State Measures - Argument Submission Deadline**
By this day, legislators and their appointee(s) must submit to the Secretary of State their arguments for and against each legislative measure that qualified. Once submitted, the arguments may not be changed or amended. § 9043

Whenever the Legislature submits any measure to the voters of the state, the author of the measure and no more than two persons appointed by the author may draft an argument for its adoption, or the author of the measure may appoint no more than three persons to draft the argument. This argument shall not exceed 500 words in length. If the author of the measure desires separate arguments to be written in its favor by each person appointed, separate arguments may be written, but the combined length shall not exceed 500 words. § 9041

If a legislative measure was not adopted unanimously, one member of each house who voted against it shall be appointed by the presiding officers of the respective houses to write an argument against the measure. This argument shall not exceed 500 words in length. If those members appointed to write an argument against the measure choose, each may write a separate argument opposing it, but the combined length of the two arguments shall not exceed 500 words. § 9042

Any voter may request the Secretary of State's permission to prepare and file an argument for either side of any such measure for which no argument has been prepared. The Secretary of State shall grant permission unless two or more voters request permission to submit argument on the same side of a measure, in which event the Secretary of State shall designate one of the voters to write the argument. §§ 9044

ELECTION CALENDAR

STATEWIDE SPECIAL ELECTION – May 19, 2009

NOTE: Asterisked dates indicate that the deadline falls on a Saturday, Sunday, or a holiday; in most cases, the deadline will move forward to the next business day. § 15

- Feb 24, 2009
12:00 p.m.
(E-84)
4. **Selection and Exchange of Arguments For and Against Measures**
On or before this day, the Secretary of State will select arguments for inclusion in the ballot pamphlet where more than one has been submitted in favor of or against the same measure. The Secretary of State will exchange arguments with opposing authors and request rebuttal arguments. §§ 9067, 9069
- Feb 25, 2009
(E-83)
5. **State Measures - Ballot Label, Ballot Title and Summary, Analysis, and Text Deadline**
The Attorney General, Legislative Analyst, and Legislative Counsel are asked to provide, no later than this date, all official ballot labels, ballot titles and summaries, analyses, and texts for the measures that have qualified for the statewide special election ballot so that the Secretary of State has sufficient time to translate the ballot pamphlet into any appropriate languages and to prepare copy for public display.
§§ 9050, 9087, 9091, 13247
- Feb 25, 2009
(E-83)
6. **State Measures - Rebuttal Argument and Summary Information Deadline**
The last day rebuttal arguments and summary information for or against ballot measures qualified for the statewide special election ballot may be submitted. Rebuttal arguments shall not exceed 250 words, and summary information shall not exceed 50 words. § 9069, 9084(e)
- Feb 25 to
Mar 5, 2009
(E-83 to E-75)
7. **English Ballot Labels Available for Public Examination**
During this period, the English ballot labels for the statewide special election will be available for public examination for eight days.
- Feb 26 to
Mar 18, 2009
(E-82 to E-62)
8. **State Ballot Pamphlet Available for Public Examination**
During this period, the Secretary of State will make a complete copy of the ballot pamphlet available for public examination for 20 days.
Gov. Code § 88006; Elec. Code § 9092
- Mar 2 to
Mar 10, 2009
(E-78 to E-70)
9. **Ballot Label Translations Available for Public Examination**
During this period, the translations of the ballot labels for the statewide special election will be available for public examination for eight days.
- Mar 18, 2009
(E-62)
10. **Last Day State Ballot Pamphlet Available for Public Examination and Copy Delivered to the State Printer**
The last day for the Secretary of State to deliver copy for preparation of the ballot pamphlets to the Office of State Publishing. Last day of public display.
Gov. Code § 88006; Elec. Code § 9082

ELECTION CALENDAR

STATEWIDE SPECIAL ELECTION – May 19, 2009

NOTE: Asterisked dates indicate that the deadline falls on a Saturday, Sunday, or a holiday; in most cases, the deadline will move forward to the next business day. § 15

- Mar 20, 2009
(E-60)
11. **Special Absentee Voters' Ballot Applications**
The first day county elections officials may process applications for special absentee voters' ballots. Any applications received by the county elections official prior to this day shall be kept and processed on or after this date.
§§ 300(b), 3103
- Mar 20 to
Mar 30, 2009
(E-60 to E-50)
12. **Report of Registration – 60-Day County Report**
During this period, the county elections official shall send to the Secretary of State a summary of the number of persons registered by party in their counties and in each political subdivision thereof as of March 20, 2009
(E-60). § 2187(d)(4)
- Mar 30, 2009
(E-50)
13. **Voter Registration Files to the Secretary of State**
The last day for county elections officials to send the Secretary of State a copy of their voter registration files of all voters registered prior to March 20, 2009
(E-60). § 2187(c)
- Mar 30, 2009
(E-50)
14. **Report of Registration - 60-Day County Report Summaries Due**
By this date, each county elections official shall send to the Secretary of State a summary statement of the number of persons registered as of March 20, 2009
(E-60). § 2187(d)(4)
- Apr 3, 2009
(E-46)
15. **Secretary of State to Publish 60-Day Report of Registration**
Projected date the Secretary of State to release a compiled statewide report showing the number of registered voters, by political affiliation, in the state and in each county and political subdivision thereof. This statement is based on the summary statements sent by the county elections official by
March 30, 2009 (E-50). § 2187(b) & (d)(4)
- Apr 4, 2009*
(E-45)
16. **State Ballot Pamphlets Furnished to Counties**
By this date, the Secretary of State shall furnish copies of the state ballot pamphlet to those counties that do not use data processing equipment to maintain their registered voter files. Ballot pamphlets will also be sent to all counties for their supplemental mailings to persons who registered between March 21 and April 20, 2009, inclusive (E-59 to E-29). § 9094(b)
- Apr 4, 2009*
(E-45)
17. **State Ballot Pamphlets to State and Local Officials and Public Institutions**
By this date, the Secretary of State shall send a specified number of copies of the state ballot pamphlet to city and county elections officials, members of the Legislature, proponents of statewide ballot measures, public libraries, and educational institutions. § 9096

ELECTION CALENDAR

STATEWIDE SPECIAL ELECTION – May 19, 2009

NOTE: Asterisked dates indicate that the deadline falls on a Saturday, Sunday, or a holiday; in most cases, the deadline will move forward to the next business day. § 15

- Apr 9 to
Apr 28, 2009
(E-40 to E-21)
18. **State Ballot Pamphlet Mailing**
Between these dates, the Secretary of State shall mail state ballot pamphlets to all households in which voters were registered by March 20, 2009 (E-60). This mailing is based on the information provided by the counties' voter registration files provided to the Secretary of State by March 30, 2009 (E-50). § 9094(a)
- In those counties in which such data processing equipment is not used, the county elections official shall mail the state ballot pamphlets to all voters registered by March 20, 2009 (E-60). § 9094(b)
- Apr 9 to
Apr 28, 2009
(E-40 to E-21)
19. **Counties Mail Sample Ballots**
Between these dates, the county elections official shall mail a polling place notice and sample ballot to each registered voter. The polling place notice shall state whether the polling place is accessible to the physically handicapped. §§ 13303, 13304
- Apr 20 to
May 12, 2009
(E-29 to E-7)
20. **Vote-by-Mail Voter Ballot Application**
Between these dates, any registered voter may apply to the county elections official for a vote-by-mail voter's ballot. Applications received before April 20, 2008 (E-29) shall be kept and processed during this application period. §§ 3001, 3003
- Apr 28, 2009
(E-21)
21. **State Ballot Pamphlet Mailing to be Completed**
The last day for the Secretary of State, or the county elections official if appropriate, to mail state ballot pamphlets to all households with voters who registered by March 20, 2009 (E-60). § 9094
- Apr 28, 2009
(E-21)
22. **Sample Ballots - County Mailing**
The last day for each county elections official to mail sample ballots to the voters. § 13303
- May 4, 2009
(E-15)
23. **Notice of Change of Address within County**
The last day before the statewide special election for any voter to send a card or letter to the county elections official advising of the change of address within the county. The notification may be submitted to the Department of Motor Vehicles (DMV) or any NVRA designated agency prior to the election. The county elections official shall correct the registration records accordingly. The notice is in lieu of re-registering. § 2119

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May 4, 2009
(E-15)

24. **Registration Closes for the May 19, 2009, Statewide Special Election**

The last day for any person to register to vote in the statewide special election. §§ 2102, 2107

Note: No person shall be registered as a voter except by affidavit of registration. The affidavit shall be mailed or delivered to the county elections official and shall set forth all of the facts required to be shown by this chapter. A properly executed registration shall be deemed effective upon receipt of the affidavit by the county elections official if any of the following apply:

- (1) The affidavit is postmarked on or before the 15th day prior to the election and received by mail by the county elections official.
- (2) The affidavit is submitted to the Department of Motor Vehicles or accepted by any other public agency designated as a voter registration agency pursuant to the National Voter Registration Act of 1993 (42 U.S.C. Sec. 1973gg) on or before the 15th day prior to the election.
- (3) The affidavit is delivered to the county elections official by means other than those described in paragraphs (1) or (2) on or before the 15th day prior to the election.

May 4 to
May 12, 2009
(E-15 to E-7)

25. **Report of Registration - 15-Day County Report**

During this period, county elections officials shall send to the Secretary of State a summary statement of the number of voters by party in their counties and in each political subdivision thereof registered as of May 4, 2009 (E-15). § 2187(d)(5)

May 5 to
May 12, 2009
(E-14 to E-7)

26. **New Residents and New Citizens Registration Period**

Registration for new residents shall begin the 14th day prior to an election and end on the 7th day prior to election day. This registration must be executed in the county elections office, and the new resident shall vote a new resident's ballot in that office. §§ 332, 3400

A new citizen registering to vote after the close of registration shall provide the county elections official with proof of citizenship prior to voting and shall declare that he or she has established residency in California.

§§ 331, 3500, 3501

The county elections official shall receive and canvass the ballots of new residents and new citizens at the same time and under the same procedure as vote-by-mail voter ballots. §§ 3405, 3502

ELECTION CALENDAR

STATEWIDE SPECIAL ELECTION – May 19, 2009

NOTE: Asterisked dates indicate that the deadline falls on a Saturday, Sunday, or a holiday; in most cases, the deadline will move forward to the next business day. § 15

- May 8, 2009
(E-7 business days) 27. **Computer Processing of Vote-by-Mail Ballots**
Counties having the necessary computer capability may begin to process their vote-by-mail voters ballots on this date. This process may be completed to the point of placing the ballot information on a computer tape, but under **NO** circumstances shall a vote count be made before the close of the polls at 8:00 p.m. on Election Day. All other county elections officials shall start to process vote-by-mail voter ballots at 5:00 p.m. on the day before the election. § 15101
- May 9, 2009*
(E-10) 28. **State Ballot Pamphlet Supplemental Mailing by County**
The last day for county elections officials to mail state ballot pamphlets to voters who registered between March 21 and April 20, 2009 (E-59 to E-29), inclusive. § 9094(c)
- May 12, 2009
(E-7) 29. **Report of Registration – 15-Day County Report Summaries Due**
By this day, each county elections official shall send to the Secretary of State a summary statement of the number of persons registered as of May 4, 2009 (E-15). § 2187(d)(5)
- May 12, 2009
(E-7) 30. **New Residents and New Citizens Registration Period – Last Day**
Last day for new residents to register to vote prior to election day. This registration must be executed in the county elections office and the new resident shall vote a new resident’s ballot in that office. §§ 332, 3400

Last day a new citizen registering to vote after the close of registration can provide the county elections official with proof of citizenship prior to voting and declare that he or she has established residency in California.
§§ 331, 3500, 3501

The county elections official shall receive and canvass the ballots of new residents and new citizens at the same time and under the same procedure as vote-by-mail voter ballots. §§ 3405, 3502
- May 12, 2009
(E-7) 31. **Vote-by-Mail Voter Ballot Application**
The last day for the county elections official to receive a voter’s application for a vote-by-mail voter’s ballot and to issue such ballot for the statewide special election. § 3001

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STATEWIDE SPECIAL ELECTION – May 19, 2009

NOTE: Asterisked dates indicate that the deadline falls on a Saturday, Sunday, or a holiday; in most cases, the deadline will move forward to the next business day. § 15

- May 12, 2009
(E-7)
32. **Computer Program to Secretary of State**
The last day for counties to verify their election night vote count computer programs and deposit copies thereof with the Secretary of State. § 15001
- The last day for county elections officials to send Logic and Accuracy Test Certifications to the Secretary of State.
- May 13 to
May 18, 2009
(E-6 to E-1)
33. **Special Absentee Voter - Recalled to Military Service**
A registered voter recalled to service after May 12, 2009 (E-7), but before 5:00 p.m. on May 18, 2009 (E-1), may appear before the county elections official and obtain a vote-by-mail voter's ballot which may be voted in the county elections official's office or outside the county elections official's office on or before the close of the polls and returned. § 3110
- May 13 to
May 19, 2009
(E-6 to E)
34. **Vote-by-Mail Ballots - Late Conditions**
On or between these dates, any voter may apply in writing for a vote-by-mail voter's ballot if he or she will be unable to go to the polls on election day. The voter may designate any authorized representative to return the voted vote-by-mail voter's ballot. § 3021
- May 15, 2009
(E-4)
35. **Report of Registration – 15-Day Statewide Report Published**
Projected date the Secretary of State to release a compiled statewide report showing the number of registered voters, by political affiliation, in the state and in each county and political subdivision thereof. This statement is based on the summary statements sent by the county elections official by May 12, 2009 (E-7). § 2187(b) & (d)(5)
- May 18, 2009
5:00 p.m.
(E-1)
36. **Special Absentee Voter - Recalled to Military Service**
Last day for a registered voter recalled to service after May 12, 2009 (E-7) but before 5:00 p.m. on May 18, 2009 (E-1) to appear before the county elections official and obtain a vote-by-mail voter's ballot which may be voted in the county elections official's office or outside the county elections official's office on or before the close of the polls and returned. § 3110
- May 18, 2009
5:00 p.m.
(E-1)
37. **Manual Processing of Vote-by-Mail Ballots**
Counties not having the necessary computer capability may begin to process the vote-by-mail voter's ballots manually at 5:00 p.m. on this date, but under **NO** circumstances is any vote count to be made public before the close of the polls at 8:00 p.m. on Election Day. § 15101

ELECTION CALENDAR

STATEWIDE SPECIAL ELECTION – May 19, 2009

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May 19, 2009
(E)

38. **Special Absentee Voters**

Any registered special absentee voter who has returned on or before Election Day and to whom a vote-by-mail voter's ballot has been mailed but not voted may apply to vote in the county election official's office or in a polling place. §§ 300, 3108

An unregistered special absentee voter who was released from service after the close of registration and who has returned to his or her county of residence may apply in person to register with the county elections official and vote in the election. Documentary proof of release from military service is required. On or before the day of the election, the county elections official shall deliver to the precinct board a list of special absentee voters registered under Elections Code § 3107. § 3107

A special absent voter who returns to the county after May 12, 2009 (E-7) may appear before the county elections official and make application for registration, a vote-by-mail voter ballot, or both. The county elections official shall register the voter, if not registered, and shall deliver a vote-by-mail voter ballot which may be voted in or outside the county elections official's office on or before the close of the polls on the day of election and returned as are other voted vote-by-mail voter ballots. § 3109

May 19, 2009
(E)

39. **Vote-by-Mail Ballots – Late Conditions**

On or before Election Day, any voter may request in writing a vote-by-mail voter's ballot because of specified conditions resulting in anticipated absence from the polling place or precinct on election day. § 3021

May 19, 2009
(E)

40. **Statewide Special Election Day**

The polls shall be open throughout the state from 7:00 a.m. to 8:00 p.m. § 14212

Voters who have moved from one address to another within the same county and who have not reregistered may vote a provisional ballot at the polling place for their current (new) address, at the office of the county elections official, or at a central location. § 14311

May 19, 2009
8:00 p.m.
(E)

41. **Vote-by-Mail Voters' Ballots Returned in Order to be Counted**

Vote-by-mail voter ballots may be received by 8:00 p.m. on Election Day at any polling place in the county where the voter is registered, or at the office of the elections official. §§ 3017, 3020

ELECTION CALENDAR

STATEWIDE SPECIAL ELECTION – May 19, 2009

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- May 19, 2009
(E) 42. **Semi-Official Canvass – Statewide Special Election**
Beginning at 8:00 p.m. and continuously until completed, the county elections official will conduct the semiofficial canvass of votes and report totals to the Secretary of State at least every two hours. §§ 15150, 15151
- May 21, 2009
(E+2) 43. **Official Canvass – Statewide Special Election**
By this date, county election officials must begin the official canvass of the precinct returns. This canvass must be completed not later than June 16, 2009 (E+28). §§ 15301, 15372
- Jun 16, 2009
(E+28) 44. **Official Canvass Ends – Statewide Special Election**
No later than this date, the county elections official must complete the canvass, certify its results, and submit it to the board of supervisors. § 15372
- Jun 23, 2009
(E+35) 45. **Statement of Results to Secretary of State**
By this date, the county elections official shall send to the Secretary of State by registered mail one complete copy of the results. § 15375
- Jun 27, 2009*
(E+39) 46. **Secretary of State to Publish Statement of the Vote**
The last day for the Secretary of State to prepare, certify, and file a Statement of the Vote from the compiled election returns. § 15501
- Oct 25, 2009*
(E+159) 47. **Secretary of State to Publish Supplement to the Statement of Vote**
Last day for the Secretary of State to compile a supplement to the Statement of the Vote showing the number of votes cast in each county, city, Assembly district, State Senatorial district, Congressional district, and supervisorial district on each statewide ballot measure. § 15502