

# SPECIAL ELECTION

39TH ASSEMBLY DISTRICT

(RICHARD ALARCON)

Calendar of Events  
and  
Election Information

Primary Election  
May 15, 2007



General Election  
July 10, 2007

PREPARED BY:

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# TABLE OF CONTENTS

## Special Primary Election

	<u>Page</u>
Governor's Proclamation.....	i
Registration Information.....	ii
Candidate Qualifications, Requirements and General Information .....	iii – vi
Signature Values for In-Lieu Petitions.....	vii
Write-in Votes Required for Nomination .....	vii
In-Lieu Petitions .....	1
Declaration of Candidacy and Nomination Papers.....	1
Write-in Candidate Declarations and Nomination Papers.....	1
Random Alphabet Drawing.....	1, 2
Notice to Each Candidate .....	2
Sample Ballot Mailing .....	2
Certified List of Candidates .....	2
Precinct Board Members and Polling Place Assignments .....	2
Voter Registration Deadline .....	3
Absent Voters.....	2, 3
Bilingual Precinct Board Members List .....	3
Publication of Tally Center Location.....	3
Computer Program to Secretary of State .....	3
Logic and Accuracy Certificates.....	3
Special Primary Election .....	3
Official Canvass.....	3

# **TABLE OF CONTENTS**

## **Special General Election**

	<u>Page</u>
Write-In Candidate Declarations and Nomination Papers .....	4
Certified List of Candidates .....	4
Sample Ballots .....	4
Precinct Board Members and Polling Place Assignments .....	4
Voter Registration Deadline .....	4
Absent Voters.....	4, 5
Bilingual Precinct Board Members List .....	4
Publication of Tally Center Location.....	4
Publication of Precinct Officers and Polling Places List .....	5
Computer Program to Secretary of State .....	5
Logic and Accuracy Certificates.....	5
Special General Election.....	5
Official Canvass.....	5
Certification of Election.....	5

EXECUTIVE DEPARTMENT  
STATE OF CALIFORNIA



**FILED**

in the office of the Secretary of State  
of the State of California

MAR 20 2007

By C. C. Bacca  
Deputy Secretary of State

**SPECIAL ELECTION PROCLAMATION**

**BY THE GOVERNOR OF THE STATE OF CALIFORNIA**

I, **ARNOLD SCHWARZENEGGER**, Governor of the State of California, do hereby proclaim and order that a special election shall be held on the 10th day of July, 2007, within the 39th Assembly District of the State to fill the vacancy in the office of Assembly Member from said district arising from the resignation of office by Richard Alarcon.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 20th day of March 2007.

*Arnold Schwarzenegger*  
ARNOLD SCHWARZENEGGER  
Governor of California



ATTEST:

*Debra Bowen*  
DEBRA BOWEN

# Registration Information

39<sup>th</sup> Assembly District  
 October 23, 2006 – Report of Registration

	<b>Total Registered</b>	<b>Dem</b>	<b>Rep</b>	<b>AI</b>	<b>Grn</b>	<b>Lib</b>	<b>Nat* Law</b>	<b>P&amp;F</b>	<b>Decline Other to State</b>	
<b>State Assembly 39</b>										
Los Angeles	110,472	64,092	20,566	2,054	539	496	215	832	607	21,071
<b>District Total</b>	110,472	64,092	20,566	2,054	539	496	215	832	607	21,071
<b>Percent</b>		<b>58.02%</b>	<b>18.62%</b>	<b>1.86%</b>	<b>0.49%</b>	<b>0.45%</b>	<b>0.19%</b>	<b>0.75%</b>	<b>0.55%</b>	<b>19.07%</b>

\* Please note that the Natural Law party is no longer a qualified party.

## INFORMATION SHEET OF QUALIFICATIONS AND REQUIREMENTS

Member of the State Assembly, 39<sup>th</sup> District  
May 15, 2007 Special Primary Election

### QUALIFICATIONS

Every candidate shall:

- A. Be a U.S. citizen.<sup>1</sup> Cal. Const. art. IV, § 2(c)
- B. Be a registered voter and otherwise qualified to vote for that office at the time that nomination papers are issued to the person. § 201<sup>2</sup>
- C. Satisfy the following registration requirements:
  - 1. Be registered with the political party whose nomination he or she is seeking for not less than three months immediately prior to the time the declaration of candidacy is presented to the county elections official or, if eligible to register for less than three months, for as long as he or she has been eligible to register to vote in California. § 8001(a)
  - 2. Not have been registered as affiliated with any other qualified political party within 3 months immediately prior to the filing of the declaration of candidacy. § 8001(a)
- D. Not have served three terms in the State Assembly since November 6, 1990. Cal. Const. art. IV, § 2(a)

### REQUIREMENTS

#### For All Candidates

##### Full Payment of Filing Fee

Every candidate must pay a filing fee equal to one percent of the first-year salary for a Member of the Assembly. Currently, the filing fee for Member of the Assembly is \$1,130.98. The filing fee must be paid at the time the candidate obtains nomination forms from the county elections official. §§ 8103 & 8105

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<sup>1</sup>Article IV, section 2(c), of the California Constitution requires one year residency in the legislative district and three years residency in California; however, it is the legal opinion of this office that these provisions violate the U.S. Constitution and are unenforceable.

<sup>2</sup>All code section references are to the California Elections Code unless stated otherwise.

### Signatures In Lieu of Filing Fee

A candidate may choose to submit by March 21, 2007, a minimum of 1,500 valid signatures on petitions in lieu of filing fee. § 8106

The 1,500 in-lieu signature requirement applies to candidates seeking the nomination of the Democratic and Republican parties, as well as independent candidates. Candidates seeking the nomination of the American Independent, Green, Libertarian, or Peace and Freedom parties may submit a petition containing, respectively, 150, 54, 50, or 83 signatures of members of their own political party. § 8106

- A. Petitions for in-lieu signatures may be obtained from the county elections official between March 20, 2007 and March 21, 2007. § 8106
- B. The candidate may submit signatures to cover all or any prorated portion of the filing fee. § 8106(b)(3)
- C. A registered voter may sign an in-lieu of filing fee petition for any candidate for whom he or she is eligible to vote.<sup>3</sup> §§ 8106(a)(6), 8106(b)(1)
- D. Each circulator of an in-lieu-filing-fee petition shall be a registered voter of the district in which the candidate is running. The circulator shall serve within the county in which he or she resides. § 8106(b)(4)
- E. A candidate who submits a petition in lieu of filing fee may request that the county elections official count all valid signatures appearing on the petition toward the number of sponsor signatures required for the candidate's nomination paper provided the signers are registrants of the same party as the candidates and haven't already signed another candidate's nomination documents for the same contest. § 8106(a)(7)

### For Partisan Candidates Only

Partisan candidates must obtain nomination documents from the county elections official between March 20, 2007 and April 2, 2007. Nomination documents include a set of Nomination Papers for collecting signatures and a Declaration of Candidacy that must be executed by the candidate. §§ 333, 10704

- A. The Declaration of Candidacy shall be obtained from, and delivered to, the county elections official. § 8064
- B. Notwithstanding § 8028, upon request of a candidate, the county elections official shall provide the candidates with a Declaration of Candidacy and Nomination Papers. The county elections official shall not require a candidate to sign, file, or sign and file, a Declaration of Candidacy as a condition of receiving Nomination Papers. The county elections official shall require all candidates filing a declaration of candidacy to execute the declaration in his or her

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<sup>3</sup> An exception exists if members of the American Independent, Green, Libertarian, Natural Law, or Peace and Freedom parties wish to use the provision allowing submission of 150, 150, 150, 39, or 102 signatures, respectively, as appropriate. Candidates who use this provision of the Elections Code must gather all signatures from their political party.

office unless the candidate designates a third party to obtain the declaration form from the county elections official and to deliver it to the candidate. The written statement shall state that the candidate is aware that the declaration of candidacy must be properly executed and delivered not later than April 2, 2007, to the office of the county elections official from whom it was received. The statement must be signed and dated by the candidate. Any person may return the completed declaration of candidacy. §§ 8020, 8028

- C. Gather between 40 and 60 signatures for filing the nomination paper. § 8062
  - 1. Signatures on the in-lieu filing fee petitions may satisfy this signature requirement. § 8061
  - 2. All signers must be registered voters and members of the same political party as the candidate. § 8068
  - 3. The candidate may appoint persons to circulate the nomination paper. Circulators shall be voters in the district or political subdivision in which the candidate is to be voted on and shall serve only in that district or political subdivision. § 8066
  - 4. Each section of the Nomination Paper shall be delivered to the county elections official of the county in which the signer resides and is a voter. § 8063

### **For Independent Candidates Only**

Independent candidates must circulate Nomination Papers for signatures in the State Assembly District between March 20, 2007 and April 2, 2007, and leave them for examination with the county elections official of the county in which the papers were circulated.

- A. The Nomination Papers must be signed by voters in the district not less in number than 500 or one percent of the entire vote cast in the area at the preceding general election, whichever is less, nor more than 1,000. For this election, the signature requirement is **406**. § 8400
- B. Any candidate may obtain signatures to and sign his or her own nomination papers § 106(a)
- C. All signers must be eligible registered voters at the time they sign the Nomination Papers. § 100
- D. The candidate may appoint circulators to serve within the county in which they reside, for the purpose of securing signatures to the candidate's Nomination Papers. Circulators shall be voters in the district or political subdivision in which the candidate is to be voted on and shall serve only in that district or political subdivision. § 8451
- E. File with the county elections official, no later than April 2, 2007, a Declaration of Candidacy which states the following:
  - 1. The candidate's residence address;
  - 2. That the candidate is a voter in the precinct in which he or she resides;



3. The name of the office sought;
4. That he or she will not withdraw as a candidate before the election;
5. That if elected, he or she will qualify for the office; and
6. That the candidate is not, and was not at any time during the 3 months immediately preceding the filing of the declaration of candidacy, registered as affiliated with a political party qualified under Section 5100.

## **GENERAL INFORMATION**

1. Each of the forms mentioned above is available free of charge from the county elections official.
2. The California State Assembly has 80 members elected for two-year terms. This election is for the remainder of the term.

This publication is for general information only and does not have the force and effect of law, regulation, or rule. In case of conflict, the law, regulation, or rule will apply. The candidate should obtain the most up-to-date information available because of possible changes in law or procedure since the publication of this information.

**SPECIAL ELECTION – May 15, 2007  
39<sup>th</sup> Assembly District**

**SIGNATURE-IN-LIEU-OF-FILING-FEE REQUIREMENTS**

<u>Signature</u>	<u>Filing Fee</u>	<u>Signatures in Lieu of the Filing Fee</u>	<u>Value of Each Signature</u>
Democratic	\$1,130.98	1,500	\$0.75
Republican	\$1,130.98	1,500	\$0.75
American Independent	\$1,130.98	150*	\$7.54
Green	\$1,130.98	54*	\$20.9444
Libertarian	\$1,130.98	50*	\$22.62
Peace and Freedom	\$1,130.98	83*	\$13.66

**WRITE-IN VOTES REQUIRED FOR NOMINATION  
At the special primary election**

Votes last cast for office (November 7, 2006)	40,603
Write-in votes required for nomination	406

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\* Must be registered to vote as affiliated with the same party as the candidate.

**Special Election Calendar  
39th Assembly District  
(Richard Alarcon)  
Special Primary Election  
May 15, 2007**

03/16/07		1	<b>VACANCY</b>	
03/20/07		2	<b>GOVERNOR'S PROCLAMATION</b>	
			On this date, the Governor issued his proclamation calling the special election.	§§10700, 10703; Gov. Code 1773
03/20/07 to 03/21/07		3	<b>IN-LIEU PETITIONS</b> Period for candidates to obtain forms from the county elections official for securing signatures in lieu of all or part of the filing fee. Signatures may also be applied to the signature requirement for office on the Nomination Paper.	§§8061, 8106
03/20/07 to 04/02/07	(E-63 to E-43)	4	<b>DECLARATION OF CANDIDACY AND NOMINATION PAPERS</b> Period for candidates to obtain and deliver Nomination Papers to the county elections official for filing. Candidates must also file a Declaration of Candidacy during this period.  Filing fees shall be paid at the time the candidate obtains nomination forms from the county elections official.	§§8040, 8062, 10704  §§8105, 8106(b)(3)
03/21/07	(E-58)	5	<b>IN-LIEU PETITIONS</b> Last day to submit in-lieu filing fee petitions to the county elections official. The county elections official shall notify the candidate of any deficiencies prior to the close of the nomination period.	§8106(b)(3)
03/20/07 to 05/01/07	(E-57 to E-14)	6	<b>STATEMENT OF WRITE-IN CANDIDACY AND NOMINATION PAPERS</b> During this period, all write-in candidates must file their Statement of Write-In Candidacy and nomination papers with the county elections official.	§8601
03/24/07*	(E-52)	7	<b>NOTICE OF RANDOMIZED ALPHABET DRAWING</b> Secretary of State to notify news media of the randomized drawing at least ten days before the event.	§13112(c)
04/02/07	(E-43)	8	<b>DECLARATION OF CANDIDACY AND NOMINATION PAPERS FILED IN COUNTIES</b> Last day for any candidate to file the Declaration of Candidacy and Nomination Papers.	§10704

\* The deadline is a Saturday so it moves to the next business day.

**Special Election Calendar  
39th Assembly District  
(Richard Alarcon)  
Special Primary Election  
May 15, 2007**

04/03/07	(E-42)	9	<b>RANDOMIZED ALPHABET DRAWING</b> On this date (first weekday after the close of filing of nomination papers for the office), the Secretary of State draws the randomized alphabet to determine the order for placing candidates' names on the ballots.  The same randomized alphabet drawing will be used for the special primary election and special general election if such run-off is necessary.	§13112(d)
04/04/07	(E-41)	10	<b>NOTICE TO EACH CANDIDATE</b> Secretary of State to notify each candidate for partisan office of the names, addresses, offices, occupations and party affiliations of all other persons who have filed for the same office. (Not less than 5 days before transmission of certified list of candidates).	§8121
04/05/07 to 04/24/07	(E-40 to E-21)	11	<b>BEGIN MAILING SAMPLE BALLOTS</b>  First day for the county elections official to mail a sample ballot to each voter in the district.	§13303
04/06/07	(E-39)	12	<b>DECLARATION OF CANDIDACY AND NOMINATION PAPERS</b>  Last day for the county elections official to certify and file the Declaration of Candidacy and Nomination Papers with the Secretary of State.	§10704
04/09/07	(E-36)	13	<b>CERTIFIED LIST OF CANDIDATES</b> Last day for the Secretary of State to send the Certified List of Candidates to the county elections official.	
04/16/07	(E-29)	14	<b>PRECINCT BOARD MEMBERS AND POLLING PLACES</b> Last day for the county elections official to appoint the members of the several precinct boards and designate the polling places.	§12286
04/20/07	(E-25)	15	<b>ABSENT VOTERS</b> The first day for the county elections official to process applications for absentee ballots for the special primary election.	§10704
04/24/07	(E-21)	16	<b>SAMPLE BALLOTS</b> The last day for the county elections official to mail the primary election sample ballots to voters for the special primary election.	§13303

**Special Election Calendar  
39th Assembly District  
(Richard Alarcon)  
Special Primary Election  
May 15, 2007**

04/30/07	(E-15)	17	<b>VOTER REGISTRATION</b> The last day to register to vote in the special primary election.	§§2102, 2107
05/01/07	(E-14)	18	<b>WRITE-IN CANDIDACY</b> The last day to file as a write-in candidate.	§8601
05/01/07	(E-14)	19	<b>BILINGUAL PRECINCT BOARD MEMBERS</b> The last day to prepare a list of precincts to which bilingual officers were appointed. A copy of this list shall be made available to the public.	§12303(d)
05/05/07*	(E-10)	20	<b>PUBLICATION OF TALLY CENTER LOCATION</b> On or before this date a notice shall be published by the county elections official once in a newspaper of general circulation within the district specifying the public place to be used as the central tally center for counting the ballots.	§12107
05/08/07	(E-7)	21	<b>ABSENT VOTERS</b> The last day to file applications for absent voter ballots.	§§3001, 10704
05/08/07	(E-7)	22	<b>COMPUTER PROGRAM TO SECRETARY OF STATE</b> The last day to verify election night vote count computer programs and deposit copies thereof with the Secretary of State.	§§15001
05/08/07	(E-7)	23	<b>LOGIC AND ACCURACY</b> The last day to send Logic and Accuracy Test certifications to the Secretary of State.	
05/15/07	(E)	24	<b>SPECIAL PRIMARY ELECTION</b> Polls open at 7 a.m. and close at 8 p.m. All absentee ballots must be received by the county elections official by 8 p.m. If one candidate receives a majority of the votes (50%+1), no special general election will be held.	§10705
05/18/07	(E+3)	25	<b>OFFICIAL CANVASS</b> The last day for the county elections official to complete the official canvass and certify the results to the Secretary of State.	

\* The deadline is a Saturday so it moves to the next business day.

**Special Election Calendar  
39th Assembly District  
(Richard Alarcon)  
Special General Election  
July 10, 2007**

05/14/07 to 06/26/07	(E-57 to E-14)	1 <b>STATEMENT OF WRITE-IN CANDIDACY AND NOMINATION PAPERS</b> During this period, all write-in candidates must file their Statement of Write-In Candidacy and nomination papers with county elections official.	§8601
05/24/07	(E-47)	2 <b>CERTIFIED LIST OF CANDIDATES</b> Secretary of State sends the Certified List of Candidates to the county elections official.	
05/31/07 to 06/19/07	(E-40 to E-21)	3 <b>BEGIN MAILING SAMPLE BALLOTS</b> First day for the county elections official to mail a sample ballot to each voter in the district.	§13303
06/11/07	(E-29)	4 <b>PRECINCT BOARD MEMBERS AND POLLING PLACES</b> The last day for the county elections official to appoint the members of the several precinct boards and designate the polling places.	§12286
06/11/07	(E-29)	5 <b>ABSENT VOTERS</b> The first day to process applications for absent voter ballots.	§3001
06/19/07	(E-21)	6 <b>SAMPLE BALLOTS</b> The last day for the county elections official to mail the special general election sample ballots to voters.	§13303
06/25/07	(E-15)	7 <b>VOTER REGISTRATION</b> The last day to register to vote in the special general election.	§§2102, 2107
06/26/07	(E-14)	8 <b>WRITE-IN CANDIDACY</b> The last day to file as a write-in candidate.	§8601
06/26/07	(E-14)	9 <b>BILINGUAL PRECINCT BOARD MEMBERS</b> The last day to prepare a list of precincts to which bilingual officers were appointed. A copy of this list shall be made available to the public.	§12303(d)
06/29/07	(E-10)	10 <b>PUBLICATION OF TALLY CENTER LOCATION</b> On or before this date a notice shall be published by the county elections official once in a newspaper of general circulation within the district specifying the public place to be used as the central tally center for counting the ballots.	§12109

**Special Election Calendar  
39th Assembly District  
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Special General Election  
July 10, 2007**

07/03/07	(E-7)	11 <b>PUBLICATION OF PRECINCT OFFICERS AND POLLING PLACES</b> The county elections official shall, not less than one week before the election, publish a notice once in a newspaper of general circulation within the district listing precinct officers and polling places for each precinct.	§12105 & Gov. C. §6061
07/03/07	(E-7)	12 <b>COMPUTER PROGRAM TO SECRETARY OF STATE</b>  The last day to verify election night vote count computer programs and deposit copies thereof with the Secretary of State.	§§15001
07/03/07	(E-7)	13 <b>LOGIC AND ACCURACY</b> The last day to send Logic and Accuracy Test certifications to the Secretary of State.	
07/03/07	(E-7)	14 <b>ABSENT VOTERS</b> The last day to file applications for absent voter ballots.	§3001
07/10/07	(E)	15 <b>SPECIAL GENERAL ELECTION</b> Polls open at 7 a.m. and close at 8 p.m. All absentee ballots must be received by the county elections official by 8 p.m.	§§14212, 3020
07/20/07	(E+10)	16 <b>OFFICIAL CANVASS</b> The last day for the county elections official to complete the official canvass and certify results to the Secretary of State.	
08/18/07*	(E+39)	17 <b>CERTIFICATION OF ELECTION (CANDIDATES)</b> The last day for the Secretary of State to determine votes cast for Assembly and to certify the person having the highest number of votes for that office as duly elected. It is the intention of the Secretary of State to issue a certificate immediately after receipt of the results of the official canvass.	§§15501, 15504

\* The deadline is a Saturday so it moves to the next business day.