

SPECIAL ELECTION

37TH CONGRESSIONAL DISTRICT

(JUANITA MILLENDER-McDONALD)

Calendar of Events
and
Election Information

Primary Election
June 26, 2007



General Election
August 21, 2007

PREPARED BY:

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EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA



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 21st day of August, 2007 within the 37th Congressional District of the State to fill the vacancy in the office of the Member of Congress from said district resulting from the death of Juanita Millender-McDonald.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 26th day of April, 2007.

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

ARNOLD SCHWARZENEGGER
Governor of California

ATTEST:

A handwritten signature in black ink, appearing to read "Debra Bowen".

DEBRA BOWEN
Secretary of State

Registration Information

37th Congressional District
October 23, 2006 – Report of Registration

	Total Registered	Dem	Rep	AI	Grn	Lib	Nat* Law	P&F	Other	Decline to State
US Congressional 37										
Los Angeles	258,624	148,411	53,217	4,360	1,562	1,082	1,159	2,082	1,188	45,563
District Total	258,624	148,411	53,217	4,360	1,562	1,082	1,159	2,082	1,188	45,563
Percent		57.38%	20.58%	1.69%	0.60%	0.42%	0.45%	0.81%	0.46%	17.62%

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

INFORMATION SHEET QUALIFICATIONS AND REQUIREMENTS

UNITED STATES REPRESENTATIVE IN CONGRESS 37TH DISTRICT

The Governor issued the proclamation for a special **GENERAL** election to be held on **August 21, 2007**. The date of the special **PRIMARY** election is scheduled for **June 26, 2007**.

The date of the primary election is calculated by counting back eight Tuesdays or, if the eighth Tuesday is the day of or the day following a state holiday, the ninth Tuesday preceding the day of the special general election at which the vacancy is to be filled. § 10704

I. QUALIFICATIONS

- A. A candidate shall be at least 25 years of age, a U.S. citizen for seven years, and a resident of California when elected. There is no durational residency requirement for congressional candidates. U.S. Const., Art. I, § 2
- B. 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)¹
 - 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)

II. REQUIREMENTS

A. FILING FEES

Every candidate must pay a filing fee equal to 1% of the first year salary. Currently the filing fee is \$1,652.00. This must be presented to the county elections official at the time the candidate obtains the nomination papers from the county elections official. §§ 8103(a)(2), 8105

A candidate may choose to submit by April 30, 2007, petitions in lieu of filing fees containing a minimum of 3,000 signatures of registered voters residing in the district. § 8106(a)(2)

¹ ¹All code section references are to the California Elections Code unless stated otherwise.

The 3,000 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, and Peace and Freedom parties may submit a petition containing, respectively, 150, 150, 109, or 150 signatures of members of their own political party. § 8106(a)(6)

1. Petitions for in-lieu signatures may be obtained from the county elections official between April 24, 2007 and April 30, 2007.
2. The candidate may submit signatures to cover all or any prorated portion of the filing fee.
3. A registered voter may sign an in-lieu of filing fee petition for any candidate for whom he or she is eligible to vote.²

B. FOR PARTISAN CANDIDATES ONLY

1. Obtain nomination documents from the county elections official of the candidate's county of residence between April 26, 2007 and May 14, 2007 inclusive. Nomination documents include nomination papers for collecting signatures and a Declaration of Candidacy that must be executed by the candidate. §§ 333, 10704(a)
 - a. The Declaration of Candidacy shall be obtained from, and delivered to, the county elections official of the candidate's county of residence. § 8064
 - b. The county elections official shall require all candidates filing a Declaration of Candidacy to execute the declaration in his or her office unless the candidate designates a third party to obtain the declaration form from the county elections official and 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 May 14, 2007 to the office of the county elections official from whom it was obtained. The statement must be signed and dated by the candidate. Any person may return the completed Declaration of Candidacy. § 8028
2. Gather between 40 and 60 signatures for filing the nomination paper. § 8062(a)(2)
 - a. Signatures on the in-lieu filing fee petitions may satisfy this signature requirement if the signers are of the same party as the candidate. § 8061
 - b. All signers must be registered voters in the district or political subdivision and members of the same political party as the candidate. § 8068

² An exception exists if members of the American Independent, Green, Libertarian, or Peace and Freedom parties wish to use the § 8106(a)(6) provisions. In the case of candidates wishing to use this provision, all signatures must be from their political party.

- c. 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
- d. 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
- e. Any candidate may obtain signatures to and sign his or her own nomination papers. § 106(a)

C. FOR INDEPENDENT CANDIDATES ONLY

- 1. Circulate nomination papers for signatures in the congressional district between April 26, 2007 and May 14, 2007, and leave them for examination with the county elections official of the county in which the papers were circulated. § 10704
 - a. The nomination papers must be signed by voters in the district not less in number than 500 or 1% 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 500. § 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 in the district or political subdivision in which the candidate is running at the time they sign the nomination papers. §§ 100, 8400
 - d. 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. § 8451
- 2. File with the county elections official, not later than May 14, 2007, a Declaration of Candidacy which states the following:
 - a. The candidate's complete residence address;
 - b. That the candidate is a voter in the precinct in which he or she resides;
 - c. The name of the office sought;
 - d. That he or she will not withdraw as a candidate before the election;
 - e. That if elected, he or she will qualify for the office; and
 - f. That the candidate is not, and was not at any time during the three (3) months preceding the filing of the declaration of candidacy, registered as affiliated with a political party qualified under Section 5100. §§ 8550, 10704

D. FOR WRITE-IN CANDIDATES ONLY

1. Between April 30, 2007 and June 12, 2007 for the primary election and June 25, 2007 and August 7, 2007 for the general election, file a Statement of Write-In Candidacy. The Statement of Write-In Candidacy shall contain the following information:
 - a. Candidate's name;
 - b. Candidate's complete residence address;
 - c. A declaration stating that the candidate is a write-in candidate;
 - d. The name of the office for which the candidate is running;
 - e. The party nomination which the candidate seeks, if running in a primary election (a candidate need not be registered with the party whose nomination he/she is seeking); and
 - f. The date of the election. §§ 8600, 8601

2. In order to be nominated at the primary election, the write-in candidate must receive more votes than any other candidate running for that party's nomination, and must also receive votes equal to at least 1% of all votes cast for that office at the last preceding general election at which the office was filled. For this election the requisite vote requirement is **9,797**. § 8605(a)

GENERAL INFORMATION

- A. Each of the forms mentioned above is available free of charge from the county elections official.

- B. California has 53 members of the House of Representatives elected for two-year terms.

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 - CONGRESSIONAL DISTRICT 37
JUNE 26, 2007 - PRIMARY
AUGUST 21, 2007 - GENERAL

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	\$1,652	3,000	\$0.5507
Republican	\$1,652	3,000	\$0.5507
American Independent	\$1,652	150	\$11.01333
Green	\$1,652	150	\$11.01333
Libertarian	\$1,652	109	\$15.15597
Peace and Freedom	\$1,652	150	\$11.01333

NOMINATION SIGNATURE REQUIREMENTS FOR INDEPENDENT CANDIDATES

Entire vote cast in area	108,930
Nomination signatures required	500

WRITE-IN VOTES REQUIRED FOR NOMINATION AT THE SPECIAL PRIMARY ELECTION

Total votes last cast for office	97,962
Write-in votes required for nomination	9,797

* Must be registered to vote as affiliated with the same party as the candidate. §8106(a)(6)

**Special Election Calendar
37th Congressional District
(Juanita Millender-McDonald)
Special Primary Election
June 26, 2007**

04/22/07		1	VACANCY	
04/26/07		2	GOVERNOR'S PROCLAMATION	
			On this date, the Governor issued his proclamation calling the special election.	§§ 10700, 10703; Gov. Code § 1773
			The date of the primary election is calculated by counting back eight Tuesdays or, if the eighth Tuesday is the day of or the day following a state holiday, the ninth Tuesday preceding the day of the special general election at which the vacancy is to be filled.	§ 10704
			If one candidate receives a majority of the votes (50% + 1), no special general election will be held.	§ 10705
04/24/07 - 04/30/07		3	IN-LIEU PETITIONS	
			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
04/26/07- 05/14/07	(E-63 to E-43)	4	DECLARATION OF CANDIDACY AND NOMINATION PAPERS	
			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.	§§ 8040, 8062, 10704
			Filing fees shall be paid at the time the candidate obtains nomination forms from the county elections official.	§§ 8105, 8106(b)(3)
04/29/07*	(E-58)	5	IN-LIEU PETITIONS	
			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)
04/30/07 - 06/12/07	(E-57 to E-14)	6	STATEMENT OF WRITE-IN CANDIDACY AND NOMINATION PAPERS	
			During this period, all write-in candidates must file their Statement of Write-In Candidacy and Nomination Papers with the county elections official.	§ 8601
05/04/07	(E-53)	7	NOTICE OF RANDOMIZED ALPHABET DRAWING	
			Secretary of State to notify news media of the randomized drawing at least ten days before the event.	§ 13112(c)
05/14/07	(E-43)	8	DECLARATION OF CANDIDACY AND NOMINATION PAPERS FILED IN COUNTIES	
			Last day for any candidate to file the Declaration of Candidacy and Nomination Papers.	§ 10704

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

**Special Election Calendar
37th Congressional District
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Special Primary Election
June 26, 2007**

05/15/07	(E-42)	9	RANDOMIZED ALPHABET DRAWING 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)
05/16/07	(E-41)	10	NOTICE TO EACH CANDIDATE 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 five days before transmission of Certified List of Candidates).	§ 8121
05/17/07 - 06/16/07*	(E-40 to E-10)	11	BEGIN MAILING SAMPLE BALLOTS First day for the county elections official to mail a sample ballot to each voter in the district.	§ 13300(c)
05/18/07	(E-39)	12	DECLARATION OF CANDIDACY AND NOMINATION PAPERS Last day for the county elections official to certify and file the Declaration of Candidacy and Nomination Papers with the Secretary of State.	§ 10704
05/21/07	(E-36)	13	CERTIFIED LIST OF CANDIDATES Last day for the Secretary of State to send the Certified List of Candidates to the county elections official.	
05/28/07*	(E-29)	14	PRECINCT BOARD MEMBERS AND POLLING PLACES Last day for the county elections official to appoint the members of the several precinct boards and designate the polling places.	§ 12286
06/01/07	(E-25)	15	ABSENT VOTERS The first day for the county elections official to process applications for absentee ballots for the special primary election.	§ 10704
06/11/07	(E-15)	16	VOTER REGISTRATION The last day to register to vote in the special primary election.	§§ 2102, 2107

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

**Special Election Calendar
37th Congressional District
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June 26, 2007**

06/12/07	(E-14)	17	WRITE-IN CANDIDACY The last day to file as a write-in candidate.	§ 8601
06/12/07	(E-14)	18	BILINGUAL PRECINCT BOARD MEMBERS 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)
06/16/07*	(E-10)	19	PUBLICATION OF TALLY CENTER LOCATION 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
06/16/07*	(E-10)	20	SAMPLE BALLOTS The last day for the county elections official to mail the primary election sample ballots to voters for the special primary election.	§ 13300(c)
06/19/07	(E-7)	21	PUBLICATION OF PRECINCT OFFICERS AND POLLING PLACES 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. Code § 6061
06/19/07	(E-7)	22	ABSENT VOTERS The last day to file applications for absent voter ballots.	§§ 3001, 10704
06/19/07	(E-7)	23	COMPUTER PROGRAM TO SECRETARY OF STATE The last day to verify election night vote count computer programs and deposit copies thereof with the Secretary of State.	§ 15001
06/19/07	(E-7)	24	LOGIC AND ACCURACY The last day to send Logic and Accuracy Test certifications to the Secretary of State.	
06/26/07	(E)	25	SPECIAL PRIMARY ELECTION 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
06/29/07	(E+3)	26	OFFICIAL CANVASS 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
37th Congressional District
(Juanita Millender-McDonald)
Special General Election
August 21, 2007**

Please Note: No general election will be held if one candidate received a majority of the votes (50% + 1) in the primary election. § 10705

06/25/07 - 08/07/07	(E-57 to E-14)	1 STATEMENT OF WRITE-IN CANDIDACY AND NOMINATION PAPERS During this period, all write-in candidates must file their Statement of Write-In Candidacy and Nomination Papers with county elections official.	§ 8601
07/05/07	(E-47)	2 CERTIFIED LIST OF CANDIDATES Secretary of State sends the Certified List of Candidates to the county elections official.	
07/12/07 - 07/31/07	(E-40 to E-21)	3 BEGIN MAILING SAMPLE BALLOTS First day for the county elections official to mail a sample ballot to each voter in the district.	§ 13303
07/23/07	(E-29)	4 PRECINCT BOARD MEMBERS AND POLLING PLACES The last day for the county elections official to appoint the members of the several precinct boards and designate the polling places.	§ 12286
07/23/07	(E-29)	5 ABSENT VOTERS The first day to process applications for absent voter ballots.	§ 3001
07/31/07	(E-21)	6 SAMPLE BALLOTS The last day for the county elections official to mail the special general election sample ballots to voters.	§ 13303
08/06/07	(E-15)	7 VOTER REGISTRATION The last day to register to vote in the special general election.	§§ 2102, 2107
08/07/07	(E-14)	8 WRITE-IN CANDIDACY The last day to file as a write-in candidate.	§ 8601
08/07/07	(E-14)	9 BILINGUAL PRECINCT BOARD MEMBERS 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)
08/11/07*	(E-10)	10 PUBLICATION OF TALLY CENTER LOCATION 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

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

**Special Election Calendar
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08/14/07	(E-7)	11 PUBLICATION OF PRECINCT OFFICERS AND POLLING PLACES 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. Code § 6061
08/14/07	(E-7)	12 COMPUTER PROGRAM TO SECRETARY OF STATE The last day to verify election night vote count computer programs and deposit copies thereof with the Secretary of State.	§ 15001
08/14/07	(E-7)	13 LOGIC AND ACCURACY The last day to send Logic and Accuracy Test certifications to the Secretary of State.	
08/14/07	(E-7)	14 ABSENT VOTERS The last day to file applications for absent voter ballots.	§ 3001
08/21/07	(E)	15 SPECIAL GENERAL ELECTION 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
08/31/07	(E+10)	16 OFFICIAL CANVASS The last day for the county elections official to complete the official canvass and certify results to the Secretary of State.	
09/29/07*	(E+39)	17 CERTIFICATION OF ELECTION (CANDIDATES) The last day for the Secretary of State to determine votes cast for Member of Congress 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.