Secretary of State Debra Bowen Certifies Referendum for February Primary Election Ballot

SACRAMENTO – Secretary of State Debra Bowen today certified a referendum for the February 5, 2008, Presidential Primary Election ballot that involves changes to the state's gaming compact with the Pechanga Band of Luiseño Mission Indians.

This brings the number of measures on the February ballot to four. The first three measures address transportation funding, community college funding, and legislative term limits. County elections officials are verifying signatures for another three Indian gaming referenda, which may be placed on the same ballot.

In order to qualify for the ballot, the referendum needed 433,971 valid petition signatures, which is equal to 5% of the total votes cast for governor in the November 2006 gubernatorial election. The referendum proponent submitted 696,376 signatures in an attempt to qualify the measure. It qualified through the random sample signature check.

County elections officials have 30 working days to verify the validity of the signatures filed with their office using a random sampling method. The state Elections Code requires elections officials to verify 500 signatures, or 3% of the number of signatures filed in their county, whichever is greater. Counties receiving less than 500 petition signatures are required to verify all the signatures filed in their office.

A measure can qualify via random sampling, without further verification, if the sampling projects a number of valid signatures greater than 110% of the required number. The referendum needed at least 477,369 projected valid signatures to qualify by random sampling, and it exceeded that threshold today.

The Attorney General's official title and summary of the referendum is as follows:

> **REFERENDUM PETITION TO OVERTURN AMENDMENT TO INDIAN GAMING COMPACT.** If this petition is signed by the required number of registered voters and timely filed with the Secretary of State, it will stop the law (Chapter 40, Statutes of 2007) from going into effect, unless a majority of voters at the next statewide election vote in its favor. The challenged law ratifies an amendment to an existing gaming compact between the state and Pechanga Band of Luiseño Mission Indians; exempts certain projects from the California Environmental Quality Act; requires that revenue paid by tribe be deposited in the General Fund. (07-0037.)

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The proponent of this referendum is Jack Gribbon. He can be reached at 243 Golden Gate Avenue, San Francisco, CA 94102. No phone number was provided.

Referendum is the power of the people to approve or reject statutes approved by the Legislature – in this case, amendments to a gaming compact negotiated between the state and the Pechanga tribe. Amendments to that compact were enacted July 10, 2007.

The laws governing referendum qualification differ significantly from those for initiative qualification in the following ways:

- The timeline for collecting referendum signatures is shorter. Referendum proponents have 90 days from when a statute is enacted to get a title and summary from the state Attorney General, be cleared for circulation by the Secretary of State, and to submit petition signatures. Initiative proponents have 150 days for circulation after their petitions receive title and summary and are cleared for circulation.

- Referenda can qualify for the ballot closer to a statewide election than initiative measures can. Referenda can qualify for the ballot 31 days before a statewide election, whereas initiatives must qualify 131 days before a statewide election.

- Referenda are far more rare than initiatives. Since 1912, 43 referenda have been placed before voters, compared to 327 initiatives. Voters approved 15 of the referenda and rejected 28.

The last referendum on a California ballot was Proposition 72 in November 2004.

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