



DEBRA BOWEN

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Secretary of State Debra Bowen Assigns Numbers to Ballot Measures Certified for June 8 Primary Election, Invites Ballot Arguments and Candidate Statements

SACRAMENTO – Secretary of State Debra Bowen today announced the proposition numbers for the five measures set to appear on the June 8, 2010, Statewide Direct Primary Election ballot and invited interested Californians to submit arguments to be included in the Secretary’s Official Voter Information Guide. The guide, also known as the ballot pamphlet, is mailed to every voting household in California.

The five propositions for the June 8 ballot are listed below.

Proposition 13

Property tax: new construction exclusion: seismic retrofitting.

SCA 4. (Resolution Chapter 115, 2008), Ashburn. The California Constitution generally limits ad valorem taxes on real property to 1% of the full cash value of that property. For purposes of this limitation, “full cash value” is defined as the assessor’s valuation of real property as shown on the 1975–76 tax bill under “full cash value” or, thereafter, the appraised value of that real property when purchased, newly constructed, or a change of ownership has occurred. The California Constitution excludes from classification as “newly constructed” the portion of reconstruction or improvement to a structure constructed of unreinforced masonry bearing wall construction, that is necessary to comply with any local ordinance relating to seismic safety, during the first 15 years following the reconstruction or improvement. The California Constitution also authorizes the Legislature to exclude from classification as “newly constructed” the construction or installation in existing buildings of certain seismic retrofitting improvements or improvements utilizing earthquake hazard mitigation technologies. This measure would instead exclude from the definition of “newly constructed” the portion of an existing structure that consists of the construction or reconstruction of seismic retrofitting components, as defined by the Legislature. This measure would delete the existing exclusion for structures constructed of unreinforced masonry bearing wall construction, and the existing grant of authority to the Legislature to exclude certain seismic retrofitting improvements or improvements utilizing earthquake hazard mitigation technologies.

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Proposition 14

Elections: open primaries. SCA 4. (Resolution Chapter 2, 2009). Maldonado. Existing provisions of the California Constitution require the Legislature to provide for primary elections for partisan offices, including an open presidential primary election, as specified. The California Constitution also provides that all judicial, school, county, and city offices are nonpartisan offices, and a political party or party central committee is prohibited from endorsing, supporting, or opposing a candidate for such an office. This measure, which would be known as the “Top Two Primaries Act,” would provide for a “voter-nominated primary election” for each state elective office and congressional office in California, in which a voter may vote at the primary election for any candidate for a congressional or state elective office without regard to the political party preference disclosed by the candidate or the voter. The measure would further provide that a candidate for a congressional or state elective office generally may choose whether to have his or her political party preference indicated upon the ballot for that office in the manner to be provided by statute. The measure would prohibit a political party or party central committee from nominating a candidate for a congressional or state elective office at the primary, but the measure would permit a political party or party central committee to endorse, support, or oppose a candidate for congressional or state elective office. The 2 candidates receiving the 2 highest vote totals for each office at a primary election, regardless of party preference, would then compete for the office at the ensuing general election. This measure would require the Legislature to provide for partisan elections for presidential candidates, political party committees, and party central steering committees. This measure would designate the Superintendent of Public Instruction as a nonpartisan office. If the measure is approved by the voters, it would become operative on January 1, 2011.

Proposition 15

Political Reform Act of 1974: California Fair Elections Act of 2008. AB 583. (Chapter 735, 2008). Hancock. (1) Under the Political Reform Act of 1974 a public officer is prohibited from expending or accepting any public moneys for the purpose of seeking elective office. This bill would repeal that prohibition and would enact the California Fair Elections Act of 2008, which would authorize eligible candidates for Secretary of State to obtain public funds according to specified procedures and requirements, provided that certain thresholds are attained. The bill would

impose primary responsibility for the administration of the provisions of the bill on the Fair Political Practices Commission. This bill would create the Fair Elections Fund and, commencing January 1, 2011, would transfer funds from the Fair Elections Fund to the Fair Political Practices Commission for the purpose of the public financing provisions of the act. The bill would also establish nonrefundable fees to be imposed on lobbyists, lobbying firms, and lobbyist employers. The fees collected are to be deposited, in part, in the Fair Elections Fund. The bill would make funding for the administrative and enforcement costs of the act available from the Fair Elections Fund. The bill would require that the available funds, for each 4-year election cycle, would be no more than 10% of the total amount deposited in the Fair Elections Fund during the 4-year election cycle. The bill would repeal specified provisions on January 1, 2019. (2) Existing law, relating to the administration of personal income taxes, authorizes individual taxpayers to contribute amounts in excess of their tax liability for the support of specified funds or accounts. This bill would additionally allow taxpayers to designate on their tax returns that a specified amount in excess of their tax liability be transferred to the Voters Fair Elections Fund, which would be created by this bill. The bill would provide that all moneys contributed to the fund pursuant to these provisions, upon appropriation by the Legislature, be allocated to the Franchise Tax Board and the Controller for reimbursement of costs and to the Fair Political Practices Commission, as specified. The bill would provide that these voluntary contribution provisions are repealed on either January 1 of the 5th taxable year following the taxable year the fund first appears on the personal income tax return, or on January 1 of an earlier calendar year, if the Franchise Tax Board estimates that the annual contribution amount will be less than \$250,000, or an adjusted amount for subsequent taxable years. (3) The Political Reform Act of 1974, an initiative measure, provides that the Legislature may amend the act by a statute that becomes effective only when approved by the voters. This bill would require the Secretary of State to submit those provisions of the act that amend the Political Reform Act of 1974 to the voters for approval at the June 8, 2010, statewide primary election.

Proposition 16

New Two-Thirds Vote Requirement for Local Public Electricity Providers. Initiative Constitutional Amendment. Requires local governments to obtain the approval of two-thirds of the voters before providing electricity to new customers or expanding such service to

new territories if any public funds or bonds are involved. Requires same two-thirds vote to provide electricity through a community choice program if any public funds or bonds are involved. Requires the vote to be in the jurisdiction of the local government and any new territory to be served. Provides exceptions to the voting requirements for a limited number of identified projects. Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local governments: Unknown impact on state and local government costs and revenues, depending on future voter decisions, due to the measure's potential effects on electricity rates and publicly owned utility operations. (09-0015.)

Proposition 17

Allows Auto Insurance Companies to Base Their Prices in Part on a Driver's History of Insurance Coverage. Initiative Statute.

Changes current law to permit insurance companies to offer a discount to drivers who have continuously maintained their auto insurance coverage, even if they change their insurance company, and notwithstanding the ban on using the absence of prior insurance for purposes of pricing. Establishes that lapses in coverage due to nonpayment of premiums may prevent a driver from qualifying for the discount. Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local government: This measure would probably have no significant fiscal effect on state and local governments. (09-0028.)

People may submit arguments for or against any measure. Arguments selected for the Official Voter Information Guide will be on public display between February 23 and March 15. If multiple arguments are submitted for one proposition, state law gives first priority to arguments written by legislators in the case of a legislative measure, and first priority to arguments written by the proponents of an initiative in the case of an initiative measure. Subsequent priority for all measures goes to bona fide citizen associations and then to individuals. No more than three signers are allowed to appear with an argument or rebuttal to an argument.

Ballot arguments cannot exceed 500 words and rebuttals to ballot arguments cannot exceed 250 words. All submissions should be typed and double-spaced. They may be hand-delivered to the Secretary of State's Elections Division at 1500 11th Street, 5th Floor, Sacramento, California 95814 or faxed to (916) 653-3214. If faxed, the original copies must be received within 72 hours. The deadline to submit ballot arguments is February 9 by 5:00 p.m. and the deadline to submit rebuttals to the ballot arguments is February 18 by 5:00 p.m.

Secretary Bowen also invited candidate statements for inclusion in the Official Voter Information Guide. Candidates for statewide constitutional office (Governor, Lieutenant Governor, Attorney General, Insurance Commissioner, Controller, Secretary of State, Treasurer, Superintendent of Public Instruction and Board of Equalization member) who have agreed to accept the voluntary campaign spending limits under the law may buy space for statements of up to 250 words at \$25 dollars per word. United States Senate candidates may buy space for a 250-word candidate statement in the voter guide and are not subject to campaign expenditure limitations. The deadline to submit candidate statements to the Secretary of State's office is February 17 by 5:00 p.m.

For more information on ballot measures, candidate filing requirements and election dates, go to www.sos.ca.gov/elections/2010-elections.

To view past state voter guides, go to www.sos.ca.gov/elections/ballot-measures/voter-information-guides.htm.

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