HOW TO PLACE A MEASURE ON THE BALLOT

FOR SCHOOLS AND SPECIAL DISTRICTS

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This guide was developed in an effort to provide answers to questions frequently asked of the Monterey County Elections Department concerning how to place a measure on the ballot. It 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. Persons using this guide must bear full responsibility to make their own determinations as to all legal standards and duties. For information on city elections, please contact your City Clerk.

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WHAT IS NEEDED FROM YOUR GOVERNING BODY?

1. Resolution

Your governing body must submit a resolution calling the election and to consolidate to the Elections office. The resolution should include the language to "*request the board of supervisors to permit the county elections official to render specified services to the city/district relating to conduct of election and specify the services requested. The city/district shall reimburse the county in full for services performed*" (Elections Code § 10002).

- **Districts and Cities**: Submit a "Resolution Requesting Consolidation of Election and Ordering of Such Election" along with the "Notice to Registrar of Voters of Measure(s) to be Submitted to the Voters."

- **County:** Submit a "Resolution Requesting Consolidation of Election and Ordering of Such Election."

- **Schools**: Submit the "Resolution Ordering Election, Specifications of the Election Order, and Requesting Consolidation."

2. Measure Text

We need clear instructions on what portion of the resolution or ordinance is considered the **Full Text of the Ballot Measure**. There is no limit on the number of words.

We also required direction as to whether or not the text is to be printed in the voter information guide. If you do not want the measure text printed in the voter information guide, please provide this direction in writing within the resolution. In this case, instead of measure text, the following language will appear at the end of the analysis of the measure (Elections Codes §§9160(b)(3), 9312)

- *"If you desire a copy of the proposed ordinance, please call the district elections official's office at (insert telephone number) and a copy will be mailed at no cost to you".*

Voters will be directed to contact the Monterey County Elections Department for a copy of the measure text be mailed to them. The district placing the measure will be billed for these costs.

3. 75-Word Ballot Question

The ballot question must:

- Have printed on them the words: *"**Shall the measure** (stating the nature thereof) **be adopted**?"* (Elections Code § 13119(a))

- Be no more than **75 words** (Elections Code §§303, 9051, 10403, 13247). Please see APPENDIX A for guidelines in counting words.

- If the proposed measure **imposes a tax or raises the rate of a tax**, the ballot question shall include in the statement of the measure to be voted on all of the following (Elections Code § 13119(b)):

  1) The amount of money to be raised annually.
  2) The rate.
  3) The duration of the tax to be levied.

Jurisdictions may want to consider beginning their ballot question with a few key words to summarize the measure. The words will count toward the 75-word limit.

- Measures are followed by the words "YES" and "NO" (Elections Code § 13119(a)).

- School bond measures are followed by the words: "Bonds--Yes," "Bonds-- No" (Education Code §15122).

- School reorganization measures are followed by the words: "Reorganization of School Districts -- Yes" and "Reorganization of School Districts -- No." Similar words may be used (Education Code §35762).

4. Voter Approval Requirement

In the resolution, specify the voter approval requirement for the measure to pass.

- Majority
- 2/3 or two-thirds, *or*
- 55%

ASSIGNING LETTERS TO MEASURES

Letters designating measures will be assigned by the elections official pursuant to Elections Code §13116. Requests for letters will not be accepted.

Letters will be assigned after the close of consolidations, which occurs 88 days before the election.

Measures will be assigned in alphabetical order beginning with the letter following the last letter assigned in the previous election and continuing through Z, or as close to the end of the alphabet as possible to accommodate all measures filed for the current election. For example, if the previous election ended with measure V, and five measures are on the next ballot, the measures will be assigned A, B, C, D, E rather than W, X, Y, Z, A.

For districts that overlap into other counties, the counties will mutually agree to use a letter designation for the measure that will not conflict or confuse the voter. The letter assigned to these measures may not be in alphabetical order.

Measures will appear on the ballot in the following order pursuant to Elections Code §13109:

- County Board of Education
- College
- Unified Schools
- High Schools
- Elementary Schools
- County
- Cities
- Districts

In order to allow for the most efficient use of space, the county elections official may vary the order of the measures (Elections Code §13116(o)).

ARGUMENTS FOR AND AGAINST BALLOT MEASURES

The elections official will prepare and publish a legal notice of the measure including deadlines to file arguments for or against the measure. The elections official will also prepare a news release announcing the measures on the ballot and deadlines for filing arguments. Information will be made available at www.MontereyCountyElections.us.

If more than one argument is submitted, the elections official will select one argument based on the following preference (Elections Code §9166, 9287, 9503):

1) the governing body or members thereof;

2) an individual voter, bona fide association of citizens who are the bona fide sponsors or proponents of the measure;

3) bona fide association of citizens; or

4) individual voters eligible to vote on the measure.

All arguments and rebuttals must be filed with the **Required Form Statement (signatures)** provided by the county elections official. Obtain the manual *"Guide to Writing Arguments, Rebuttals and Analyses for Local Measures*" from the Monterey County Elections' website if you are planning on submitting an argument. Arguments are limited to 300 words.

OTHER BALLOT MATERIALS

If arguments in favor and against are submitted, filers will have the opportunity to submit rebuttals. Rebuttals are limited to 250 words (Elections Codes §§9167, 9285, 9317, 9504).

An impartial analysis will be submitted by county counsel or the city attorney, whichever is applicable (Elections Codes §§9160, 9280, 9500).

Bond measures require a tax rate statement to be filed by the 88th day before the election (Elections Codes §§9400, 9401). A fiscal impact statement may also be ordered (Elections Code §9160(c)).

For more information on other ballot materials, obtain the manual *"Guide to Writing Arguments, Rebuttals and Analyses for Local Measures"* from the Monterey County Elections' website

DEADLINES

Contact the Elections Office at (831) 796-1499 or visit our website at www.MontereyCountyElections.us for filing deadlines for a particular measure. For city measures, please contact the respective city clerk.

Resolutions: Resolutions placing a measure on the ballot are due by 5 p.m. on the 88th day prior to the election pursuant to California Elections Code. Resolutions are available to the public after the 5 p.m. deadline.

Arguments: Arguments are due by 5 p.m. on the deadline date chosen by the Elections Office. Once an argument for and against a measure is chosen, a copy will be provided to the opposing signers for the purpose of writing a rebuttal. Arguments are available to the public after the 5 p.m. deadline.

Tax Rate Statement (if applicable): Tax Rate Statements must be supplied for each bond issue proposed by a county, city, district or other political subdivision. The statement shall be filed with the elections official not later than the 88th day prior to the election. Statements are available to the public after the 5 p.m. deadline.

Rebuttals: 10 days after the argument is due, rebuttals are due by 5 p.m. Rebuttals are available to the public after the 5 p.m. deadline.

Analysis: County Counsel prepares an impartial analysis of each measure and it is filed on the same day as rebuttals are due. If the measure is for a water district, the legal counsel for the water district prepares the impartial analysis or may request county counsel to prepare impartial analysis. Analyses are public after the 5 p.m. deadline.

Place to File: Monterey County Elections Office, 1441 Schilling Place – North Building, Salinas, CA 93901, (831) 796-1499. In addition to filing a hard copy, please email your argument, rebuttal or analysis to: candidateservices@co.monterey.ca.us.

Filing by FAX: Signatures on arguments, rebuttals and analyses must appear on the same page as the text of the argument, rebuttal or analysis. **Original signatures must be presented to the elections official within 48 hours of transmission or the item(s) will not be considered as filed** (weekends and holidays excepted). Faxing must be started prior to 5 p.m. on deadline days to be accepted as filed. The FAX number is (831) 755-5485. To email, you must scan the document with the signature and email to: candidateservices@co.monterey.ca.us.

Confidentiality: Resolutions, arguments, rebuttals and analyses shall remain confidential until 5 p.m. on the date they are due.

Withdrawal/Changes: Resolutions, arguments, rebuttals and analyses may be changed or withdrawn until and including the date fixed for final submission to the elections office (Elections Code §9163, 9316, 9601, 9604, 9605).

Public Inspection: For 10 calendar days immediately following the deadline for final submission of election documents, including ordinances, analyses, arguments and rebuttals, the county elections official shall make a copy of the materials available for public inspection. A writ of mandate or injunction may be sought to require amendments or deletions to any or all of the materials (§9190, 9295, 9380, 9509).

HOW TO RAISE OR SPEND MONEY

First	Download the Fair Political Practices Commissions' *Manual 3* for ballot measure committees at http://www.fppc.ca.gov/forms/all-fppc-manuals.html.
Second	File a **Form 410 - Statement of Organization** within 10 days of receiving $2,000 in contributions. When filing the Form 410, include a $50 payment made payable to the Secretary of State. For early submissions and if your committee has not yet reached the $2,000 threshold, mark the "not yet qualified" box. The $50 fee is requested at this time but is not legally required until the group qualifies as a committee. The committee's FPPC ID number will be posted at www.sos.ca.gov. Read instructions carefully as a Form 410 will be rejected if all applicable sections are not completed. All committees must now disclose the financial institution and bank account number used by the committee. The form is available online at http://www.fppc.ca.gov/forms.html.
Third	Be prepared to file a **Form 460 – Recipient Committee Campaign Statement** for ballot measure committees that receives contributions totaling $2,000 or more during a calendar year for the primary purpose of supporting or opposing the qualification, passage, or defeat of a single ballot measure or two or more measures being voted on in the same city, county, multi-county or state election. A Form 450 may be filed for committees that do not plan on raising or spending more than $2,000. Pre-Election Statements and Semi-Annual statements must be filed at certain times prior to the election and then semi-annually until the committee terminates. These reports detail your committee's contributions and expenditures. Know the deadlines and the type of forms you must file. **Electronic filing of campaign statements requirement** - on October 3, 2017, the Monterey County Board of Supervisors adopted an ordinance amending Chapter 1.10 of the Monterey County Code authorizing and requiring electronic filing of campaign disclosure statements, reports, and other documents with the Registrar of Voters of Monterey County. All elected officers, candidates, committees, or other persons for whom the Registrar of Voters is the filing officer will be required, with few exceptions, to file campaign disclosure statements, reports, and other required documents electronically. The adopted ordinance authorizes and will require electronic filing of the following documents: • 460 – Recipient Committee Campaign Statement • 461 – Major Donor and Independent Expenditure Campaign Statement • 496 – Independent Expenditure Report • 497 – Contribution Report • 450 – Recipient Committee Campaign Statement – short form
Fourth	File Forms 460 and 410 to terminate the committee upon completion of your efforts.

APPENDIX A – How to Count Words

Each word is counted as one word except:

Punctuation	Punctuation is not counted.
Titles	Words used by the Elections Department as part of a standardized heading, such as "Argument in Favor of Measure Z" or "Statement of Candidate for Mayor" are not counted.
Cities/Counties	All geographical names shall be counted as one word. For example, "Monterey County", "City of Salinas", "County of Santa Cruz", and "City and County of San Francisco" are considered one word. The names of school districts, special districts and political subdivisions are considered geographical names as well. For example, "North County Fire Protection District" and "Monterey Peninsula Community College District" are each one word.
Proper Nouns	All proper nouns, including geographical names, shall be considered as one word; for example, "City and County of San Francisco" or "Salinas High School" shall be counted as one word. (Generic location terms such as "North County" or "South County" do not constitute proper nouns and each word will be counted separately)
Abbreviations	Each abbreviation for a word, phrase, or expression shall be counted as one word.
Hyphenations	Hyphenated words that appear in any generally available U.S. dictionary published in the last 10 years shall be considered as one word. Each part of all other hyphenated words shall be counted as a separate word. Elections has a dictionary on hand and will reference this dictionary as the deciding factor.
Dates	Dates consisting of a combination of words and digits shall be counted as two words. Dates consisting of only a combination of digits shall be counted as one word. October 29, 2007 shall be counted as two words, whereas 10/29/2007 will be counted as one word.
Numbers	Any number consisting of a digit or digits shall be considered as one word (i.e. "100"). Any number that is spelled shall be considered as a separate word ("one hundred" is two words).
Phone & Internet	Website addresses or telephone numbers are one word.
Percent Signs (%), Number Signs (#), etc.	It is department policy to count numbers consisting of a digit or digits used with a dollar sign ($), cent sign (¢), percentage sign (%), or number sign (#) as one word.

APPENDIX B – Sample City/District Measure Resolution

Resolution No.<mark>_____</mark>

**RESOLUTION ORDERING AN ELECTION,
REQUESTING COUNTY ELECTIONS TO CONDUCT THE ELECTION,
AND REQUESTING CONSOLIDATION OF THE ELECTION**

<mark>**(enter city/special district name)**</mark>

WHEREAS, (insert city/special district summary of facts and circumstances, include as many instances as applicable)

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WHEREAS, pursuant to Elections Code Section 10002, the governing body of any city or district may by resolution request the Board of Supervisors of the county to permit the county elections official to render specified services to the city or district relating to the conduct of an election. The city or district shall reimburse the county in full for the services performed upon presentation of a bill to the city or district; and

WHEREAS, pursuant to Elections Code Section 10400, whenever two or more elections, including bond elections, of any legislative or congressional district, public district, city, county, or other political subdivision are called to be held on the same day, in the same territory, or in territory that is in part the same, they may be consolidated upon the order of the governing body or bodies or officer or officers calling the elections; and

WHEREAS, pursuant to Elections Code Section 10403, whenever an election called by a district, city or other political subdivision for the submission of any question, proposition, or office to be filled is to be consolidated with a statewide election, and the question, proposition, or office to be filled is to appear upon the same ballot as that provided for that statewide election, the district, city or other political subdivision shall, at least 88 days prior to the date of the election, file with the board of supervisors, and a copy with the elections official, a resolution of its governing board requesting the consolidation, and setting forth the exact form of any question, proposition, or office to be voted upon at the election, as it is to appear on the ballot. Upon such request, the Board of Supervisors may order the consolidation. The resolution requesting the consolidation shall be adopted and filed at the same time as the adoption of the ordinance, resolution, or order calling the election;

NOW, THEREFORE, BE IT RESOLVED AND ORDERED that pursuant to Elections Code Section 10400 and 10403, the governing body of the <mark>**(enter city/special district name)**</mark> hereby orders an election be called and consolidated with any and all elections also called to be held on <mark>**(enter date of election)**</mark> within the same territory, and

BE IT FURTHER RESOLVED AND ORDERED that pursuant to Elections Code Section 10002 said governing body hereby requests the Board of Supervisors of the County of Monterey to permit the Monterey County Elections Department to provide any and all services necessary for conducting an election and agrees to pay for said services in full, and

BE IT FURTHER RESOLVED AND ORDERED that the Monterey County Elections Department shall conduct the election to be held on <mark>**(enter date of election)**</mark> and submit to the electorate the following question:

(insert 75-word ballot question here)

BE IT FURTHER RESOLVED AND ORDERED that the Monterey County Elections Department is requested to ==(select one of the following options and only include the applicable wording in line with this statement):==

- **Option 1**: Print the attached full measure text **(enter exhibit number)** exactly as filed or indicated on the filed document in the voter information guide for the **(enter date of election)** election.

- **Option 2:** Not print the attached full measure text **(enter exhibit number)** in the voter information guide but send a copy to voters upon request at the cost of the city/district. (EC §§ 9160). In addition, the full text will be available at the following website address: _____.

BE IT FURTHER RESOLVED AND ORDERED THAT voter approval requirement is _____. **(enter one of the following: majority, two-thirds (2/3), or 55%)**

PASSED AND ADOPTED by the ==(Name of City/Special District)== this _____ day of _____ _____, 2019 by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

SIGNED: _____
                        Chairperson of said Governing Board

ATTEST: _____
                                Secretary

APPENDIX C – Sample School District Measure Resolution

Resolution No.<mark>_____</mark>

**RESOLUTION ORDERING AN ELECTION,
REQUESTING COUNTY ELECTIONS TO CONDUCT THE ELECTION,
REQUESTING CONSOLIDATION OF THE ELECTION, AND SPECIFICATIONS
OF THE ELECTION ORDER**

<mark>(enter school district name)</mark>

WHEREAS, (insert school district summary of facts and circumstances, include as many instances as applicable)

WHEREAS, (insert school district summary of facts and circumstances, include as many instances as applicable)

WHEREAS, (insert school district summary of facts and circumstances, include as many instances as applicable)

WHEREAS, pursuant to Education Code Section 5322, whenever a school district election is ordered, the governing board of the district or the board or officer authorized to make such designations shall, concurrently with or after the order of election, but not less than 123 days prior to the date set for the election in the case of an election for governing board members, or at least 88 days prior to the date of the election in the case of an election on a measure, including a bond measure, by resolution delivered to the county superintendent of schools and the officer conducting the election specify the date of the election and the purpose of the election;

WHEREAS, pursuant to Elections Code Section 10002, the governing body of any city or district may by resolution request the Board of Supervisors of the county to permit the county elections official to render specified services to the city or district relating to the conduct of an election. The city or district shall reimburse the county in full for the services performed upon presentation of a bill to the city or district; and

WHEREAS, pursuant to Elections Code Section 10400, whenever two or more elections, including bond elections, of any legislative or congressional district, public district, city, county, or other political subdivision are called to be held on the same day, in the same territory, or in territory that is in part the same, they may be consolidated upon the order of the governing body or bodies or officer or officers calling the elections; and

WHEREAS, pursuant to Elections Code Section 10403, whenever an election called by a district, city or other political subdivision for the submission of any question, proposition, or office to be filled is to be consolidated with a statewide election, and the question, proposition, or office to be filled is to appear upon the same ballot as that provided for that statewide election, the district, city or other political subdivision shall, at least 88 days prior to the date of the election, file with the board of supervisors, and a copy with the elections official, a resolution of its governing board requesting the consolidation, and setting forth the exact form of any question, proposition, or office to be voted upon at the election, as it is to appear on the ballot. Upon such request, the Board of Supervisors may order the consolidation. The resolution requesting the consolidation shall be adopted and filed at the same time as the adoption of the ordinance, resolution, or order calling the election;

WHEREAS, pursuant to Education Code Section 5342 and Elections Code Section 10400, such election for school districts may be either completely or partially consolidated;

NOW, THEREFORE, BE IT RESOLVED AND ORDERED that pursuant to Education Code Section 5342 and Elections Code Section 10400/10403, the governing body/board of trustees of the <mark>(enter school district name)</mark> hereby orders an election be called and consolidated with any and all elections

also called to be held on **(enter date of election)** within the same territory or in territory that is in part the same as the territory of the school district, and

BE IT FURTHER RESOLVED AND ORDERED that pursuant to Elections Code Section 10002 said governing body/board of trustees hereby requests the Board of Supervisors of the County of Monterey to permit the Monterey County Elections Department to provide any and all services necessary for conducting an election and agrees to pay for said services in full, and

BE IT FURTHER RESOLVED AND ORDERED that pursuant to Education Code Section 5322, the authority for the specifications of the election order, the governing body/board of trustees of the **(enter name of school district)** hereby orders an election to be held with the following specifications:

The election shall be held on Tuesday, **(enter date of election)**;

BE IT FURTHER RESOLVED AND ORDERED that the Monterey County Elections Department shall conduct the election to be held on **(enter date of election)** and submit to the electorate the following question:

(insert 75-word ballot question here)

BE IT FURTHER RESOLVED AND ORDERED that the Monterey County Elections Department is requested to (select one of the following options and only include the applicable wording in line with this statement):

- **Option 1**: Print the attached full measure text **(enter exhibit number)** exactly as filed or indicated on the filed document in the voter information guide for the **(enter date of election)** election.

- **Option 2:** Not print the attached full measure text **(enter exhibit number)** in the voter information guide but send a copy to voters upon request at the cost of the school district. (EC §§ 9160). In addition, the full text will be available at the following website address: _____.

BE IT FURTHER RESOLVED AND ORDERED THAT voter approval requirement is _____. **(enter one of the following: majority, two-thirds (2/3), or 55%)**

PASSED AND ADOPTED by the **(enter name of school district)** this _____ day of _____ _____, 2019 by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

SIGNED: _____
                         Chairperson of said Governing Board

ATTEST: _____
                         Secretary

APPENDIX D – Exhibit (if applicable)

EXHIBIT TO (enter city/district name)
NOTICE TO THE REGISTRAR OF VOTERS
MEASURE TO BE SUBMITTED TO THE VOTERS

(enter city/district name)

To the Registrar of Voters of Monterey County:

Notice is hereby given that the **(enter city/district district name)** has approved a measure to be placed on the **(enter date of election)** ballot.

The aforementioned city/district/school advises Monterey County Elections as follows:

❑ The attached 75-word or less ballot question is to appear on the ballot (Exhibit B) (Elections Codes §§303, 9051, 10403, 13247)

❑ The attached full text of the measure (Exhibit C). Circle one of the following options and only include the applicable wording in line with this statement:

    a) is **to be printed in full** in the voter information guide. Cost of printing and distribution of the measure text will be paid for by the city/district/school.

    b) is **not to be printed** in the voter information guide, and instead the elections official agrees to send a copy to voters upon request at the cost of said city/district/school. The contact number to be printed in the Voter Guide is _____ **(enter telephone number to contact)** (Elections Codes §§ 9160, 9312).

        ▪ In addition, the full text will be available at the following website address: _____**(enter website address)**

❑ Said measure requires _____ **(enter one of the following: majority, two-thirds (2/3), or 55%)** voter approval.

_____
City/District Authorized Signature   Date

(Place the City/District Seal)

APPENDIX E – Example of ballot measure to appear on the ballot

MEASURES SUBMITTED TO THE VOTERS
INICIATIVAS DE LEY PRESENTADAS ANTE EL ELECTORADO
COUNTY

Z The English version of the 75-word or less ballot question appears here. See APPENDIX A – How to Count Words in this guide.

The Spanish version of the 75-word or less ballot question appears here. Do not submit your own translation. Monterey County Elections will supply the translation using our official translators.

○ **YES/SÍ**
○ **NO/NO**

*Other attributes such as bullets, italics, underlining, and bolding beyond the title, are not permitted in the ballot question.