

# **SACRAMENTO COUNTY**

## **ARGUMENTS AND REBUTTALS FOR COUNTY AND DISTRICT MEASURES**



**Sacramento County Elections  
Telephone (916) 875-6451 FAX (916) 854-9567  
Toll Free (800) 762-8019**

**January 2016**

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For information on Arguments and Rebuttals for city measures, please contact the office of the City Clerk. Contact information is listed below:

<b>City of Citrus Heights</b>	6237 Fountain Square Drive Citrus Heights 95621 (916) 725-2448
<b>City of Elk Grove</b>	8401 Laguna Palms Way Elk Grove 95758 (916) 478-2286
<b>City of Folsom</b>	50 Natoma Street Folsom 95630 (916) 355-7270
<b>City of Galt</b>	380 Civic Drive Galt 95632 (209) 366-7130
<b>City of Isleton</b>	101 2 <sup>nd</sup> Street Isleton 95641 (916) 777-7770
<b>City of Rancho Cordova</b>	2729 Prospect Park Drive Rancho Cordova 95670 (916) 851-8700
<b>City of Sacramento</b>	915 I Street, 5 <sup>th</sup> Floor Sacramento 95814 (916) 808-7200

# DISCLAIMER

This informational booklet was developed in an effort to provide answers to questions frequently asked the Sacramento County Voter Registration and Elections Office concerning arguments and rebuttals for county and district measures. It is for general information only and does not have the force and effect of law, regulations or rule. In case of conflict, the law, regulation or rule will apply. Persons using this booklet must bear full responsibility to make their own determinations as to all legal standards and duties.

*A measure is an ordinance, question, issue or charter amendment submitted to a vote of the people at any election. Local (county, city or district) questions, issues or amendments are referred to as “Measures,” while those that are voted upon statewide are called “Propositions.”*

Information provided in this booklet is applicable to the filing of arguments and rebuttals concerning county and district measures in Sacramento County only. Arguments and/or rebuttals involving county or district measures are filed with the Sacramento County Voter Registration and Elections Office.

### **City Measures**

Arguments and/or rebuttals involving the Cities of Sacramento, Citrus Heights, Elk Grove, Folsom, Galt, Isleton and Rancho Cordova are filed with the City Clerk of the city involved. Specific information regarding requirements and deadlines should be obtained from the particular city office involved.

Individuals interested in State propositions should contact the Secretary of State’s Office, Elections Division, at (916) 657-2166 for further information.

### **SUBMITTING A MEASURE**

The recommended deadline for submitting a measure to our office that is 113 days prior to an election. (The California Elections Code date is 88 days before an election, but to accommodate scheduling for placement on the Board of Supervisors agenda and Federal requirements to print voting materials in Spanish and Chinese in Sacramento County, an administrative deadline is required. Both of these items compress our available working time.)

### **DUE DATES FOR ARGUMENTS AND REBUTTALS**

The California Elections Code provides that the county elections official shall establish deadlines for the filing of arguments and rebuttals based on the time reasonably necessary to allow for the 10 day required public examination period, and to prepare, print and mail Sample Ballot and Information Pamphlet. Each measure is treated as a separate election. The due dates for arguments and rebuttals will be determined by the county elections official for each individual measure. All original arguments and rebuttals, including the original signatures of the proponents, for county, special districts and school districts measures must be filed in the office of the county elections official by 5:00 p.m. on the applicable deadline. Call (916) 875-6276 to obtain the due dates. (EC 9163)

### **FILERS OF ARGUMENTS**

The Board of Supervisors or any member or members of the board, or any individual voter who is eligible to vote on the measure, or bona fide association of citizens, or any combination of these voters and associations may file a written argument in favor of or against any county measure. A bona fide association of citizens is a recognized authentic or genuine group of citizens bound together, without intent of fraud or deceit, by a common interest or cause. **No argument in favor of or against a measure shall exceed 300 words in length.** (EC 9162)

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The governing board of the district or any member or members of the board, or any individual voter who is eligible to vote on the measure, or bona fide association of citizens, or any combination of such voters and associations may file a written argument in favor of or against any school measure. **No argument in favor of or against a measure shall exceed 300 words in length.** (EC 9501)

The “filer” of an argument must be either of the governing body, from a bona fide association of citizens or be a registered voter in the district. However, *the signers of an argument need not meet these criteria.*

A letter of authorization is needed whenever there are signers who are not the filers. One letter will suffice for any and all signers who do not meet the criteria for being a filer. For example, if the governing body of a district placing a measure on the ballot (filer) wishes to have other individuals sign the argument, they may do so. They may do so even if these individuals do not live within the boundaries of the district. However, a letter of authorization signed by a filer must be submitted with the argument authorizing these individuals to sign the argument.

#### **COUNTING OF WORDS**

Elections Code §9 specifies the counting of the number of words submitted on any document whose content is limited by statute:

1. Punctuation is not counted.
2. Each word shall be counted as one word except as specified in this section.
3. All geographical names shall be considered as one word; for example, “City and County of San Francisco” shall be counted as one word.
4. Each abbreviation for a word, phrase or expression shall be counted as one word.
5. Hyphenated words that appear in any generally available standard reference dictionary, published in the United States at any time within the 10 calendar years immediately preceding the election for which the words are counted, shall be considered as one word. Each part of all other hyphenated words shall be counted as a separate word.
6. Dates shall be counted as one word.
7. Any number consisting of a digit or digits shall be considered as one word. Any number which is spelled, such as “one,” shall be considered as a separate word or words. “One” shall be counted as one word, whereas “one hundred” shall be counted as two words. “100” shall be counted as one word.
8. Telephone numbers shall be counted as one word.
9. Internet website addresses shall be counted as one word.

#### **SELECTION OF ARGUMENT TO APPEAR IN SAMPLE BALLOT BOOKLET**

One argument in favor of and one argument against any measure will be printed in the Sample Ballot Pamphlet. If more than one argument in favor of, or more than one argument against, any measure is filed with the county elections official within the time prescribed, the county elections official shall select one of the arguments in favor of and one of the arguments against the measure for printing and distribution to the voters. In

selecting the argument, the county elections official shall give preference and priority in the following order:

1. The Board of Supervisors or a member or members of the board.
2. The individual voter or bona fide association of citizens, or combination of voters and associations, who are the bona fide sponsors or proponents of the measure.
3. Bona fide associations of citizens.
4. Individual voters who are eligible to vote on the measure.  
(EC 9166, 9503)

### **REBUTTALS**

When an argument in favor of and an argument against a measure have been selected for publication in the Sample Ballot Pamphlet, the official responsible for conducting the election shall send copies of the argument in favor of the measure to the authors of the argument against the measure and copies of the argument against the measure to the authors of the argument in favor of. **The authors may prepare and file the rebuttal argument not exceeding 250 words**, or may authorize in writing any other person or persons to prepare, file or sign the rebuttal argument. Written authorization must specifically designate the name of the substitute signer and must be signed by the original signer. The rebuttal argument shall be filed with the elections official conducting the election no later than a date designated by the elections official. Words used in the title may not be counted when determining the length of any rebuttal argument. (EC 9167, 9317, 9504)

### **CHANGE TO AND/OR WITHDRAWAL OF ARGUMENTS**

Arguments may be changed or withdrawn by their proponents at any time prior to and including the final date fixed by the elections official. (EC 9316, 9601)

If an argument is changed, the newly signed original argument must be completed and filed by the above mentioned deadline.

The original signed withdrawal request must be filed by the above mentioned deadline.

### **CHALLENGE OF ARGUMENT/ REBUTTAL CONTENTS**

There is a 10 calendar day public examination period after the close of both of these filing periods whereby the arguments, rebuttals and impartial analyses may be reviewed and copies obtained for a fee.

During the 10 calendar day public examination period provided for by law, any voter of the jurisdiction in which the election is being held, or the county elections official may seek a writ of mandate or an injunction requiring any or all of the materials to be amended or deleted. The writ of mandate or injunction request shall be filed no later than the end of the 10 calendar day public examination period.

A peremptory writ of mandate or an injunction shall be issued only upon clear and convincing proof that the material in question is false, misleading, or inconsistent with the requirement of law, and that issuance of the writ or injunction will not substantially interfere with the printing or distribution of official election materials as provided by law.

The county elections official shall be named as respondent and the person or official who authored the material in question shall be named as real party in interest. In the case of the county elections official bringing the mandamus or injunctive action, the board of

supervisors of the county shall be named as the respondent and the person or official who authored the material in question shall be named as the real party in interest.

(EC 9190)

*Note: Should this be your course of action, contact the Elections Office immediately at (916) 875-6365. Timelines for Sample Ballot Pamphlet printing are critical at this point. Whatever you choose to do, it must be done as quickly as possible. We will also give you a contact number for County Counsel, who must be notified and can let you know what else they may need.*

**GUIDELINES –  
FORM OF  
SUBMISSION**

Arguments should be written in a block format and submitted in this manner. Refer to the “Counting of Words” section of the booklet prior to filing your argument. The heading and the signature(s) blocks are not included in the word count. The following statement, as applicable, must be printed as the heading of the argument:

<p>“Argument in Favor of Measure _____”</p> <p>“Argument Against Measure _____”</p> <p>“Rebuttal to Argument in Favor of Measure _____”</p> <p>“Rebuttal to Argument Against Measure _____”</p>
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A ballot argument shall not be accepted unless accompanied by the printed name(s) and signature(s) of the person or persons submitting it, or, if submitted on behalf of an organization, the name of the organization and the printed name and signature of at least one of its principal officers. **No more than five signatures shall appear with any argument.** In case any argument is signed by more than five persons, the signatures of the first five shall be printed. (EC 9164)

**REQUIRED  
STATEMENT TO  
ACCOMPANY  
ANY ARGUMENT  
AND/OR  
REBUTTAL**

Election law requires that all arguments and rebuttals be accompanied by the following form statement, to be signed **by each** proponent and **by each** author, if different, of the argument: (EC 9600)

“The undersigned proponent(s) or author(s) of the

\_\_\_\_\_ (primary/rebuttal)

argument

\_\_\_\_\_ (in favor of/against)

ballot measure

\_\_\_\_\_ (name or number)



at the \_\_\_\_\_  
(title of election)  
election for the \_\_\_\_\_  
(jurisdiction)  
to be held on \_\_\_\_\_ hereby state that such argument is  
(date)  
true and correct to the best of \_\_\_\_\_ knowledge and belief.”  
(his/her/their)  
Signed \_\_\_\_\_ Date \_\_\_\_\_

**SAMPLE OF  
COMPLETED  
STATEMENT**

“The undersigned authors of the primary argument in favor of Measure A at the Special Election for the West Hills Unified School District to be held on November 3, 2009 hereby state that such argument is true and correct to the best of their knowledge and belief.”

The aforementioned required statement is **not** printed in the Sample Ballot Pamphlet, but is retained in the file with other measure documentation.

**SIGNATURE  
BLOCKS**

The following are examples of suitable signature blocks:

Signed \_\_\_\_\_ Date \_\_\_\_\_  
William T. Smith, Chairman  
Better Schools Committee

Signed \_\_\_\_\_ Date \_\_\_\_\_  
Alice Jones  
Concerned Citizen

The signatures of the authors of any argument or rebuttal must be identical to the printed name in the signature block. For example, Mr. Smith above needs to sign his name “William T. Smith,” not “Bill Smith.”

**INFORMATION  
THAT MUST  
ALSO BE FILED**

All original arguments and/or rebuttals with original signatures must be filed at the Sacramento County Elections Office by 5:00 p.m. on the applicable deadline. **For every argument that is filed**, we need the following information either printed or typed on the form provided or on a separate piece of paper:

- The name, address and telephone number of the contact person.
- The printed name of each signer.
- The address where each of the signers is registered to vote, including the city and zip code.
- The mailing address of each of the signers (if different from the registered address).

*Note:* Located on our website are two fillable forms Ballot Argument Signature Statement and Rebuttal Argument Alternate Signer Authorization.

<http://www.elections.saccounty.net/Resources/Pages/default.aspx#filter=.Campaign-Services>

This information is not printed in the Sample Ballot Pamphlet. It is needed to verify eligibility and to send confirmation letters and rebuttal forms if an argument is chosen. **This information is not required to be filed with the rebuttal argument.**

**CAMPAIGN  
DISCLOSURE  
REQUIREMENTS**

Individuals who support or oppose a ballot measure may form a “committee.” An individual, group of individuals, organization or any other entity is a “committee” if it makes or receives “contributions” or makes “independent expenditures” as defined in the Political Reform Act. Committees are required to file periodic campaign disclosure statements with the appropriate filing officer(s) disclosing contributions received and expenditures made. Types of committees involved with ballot measures include:

**Recipient Committees:** Individuals and organizations that receive contributions (\$2,000 or more in a calendar year) to support or oppose state or local candidates, or to qualify, support or oppose state or local ballot measures, including initiative, referendum and recall measures (either primarily formed to support or oppose a single candidate or ballot measure, or more than one candidate or measure being voted on in a single election, or general purpose to support or oppose a variety of candidates and/or measures);

**Major Donor Committees:** Individuals or entities that use their own money (i.e., personal funds, corporate or business funds) to make contributions totaling \$10,000 or more in a calendar year to candidates or to committees supporting or opposing candidates or ballot measures;

**Independent Expenditure Committees:** Individuals or entities that use their own money to make “independent expenditures” totaling \$1,000 or more in a calendar year to support or oppose candidates or measures (e.g., Jane Brown uses personal funds to send a mailing to voters or to purchase an advertisement supporting a candidate, but she does so independently, not in coordination with the candidate or his or her campaign committee).

Any individual, or group of individuals, who anticipate receiving and/or spending funds to support or oppose a ballot measure, should view the current **Fair Political Practices Commission Information Manual on Campaign Disclosure Provisions of the Political Reform Act** at [www.fppc.ca.gov](http://www.fppc.ca.gov). Forms may also be downloaded from the website. Additionally, there are legal requirements pertaining to “mass mailings.”

**QUESTIONS**

If you have any questions or need clarification of the requirements, call Voter Registration and Elections at (916) 875-6276 for further information.

Elections Code References:

County Measures §§312, 9100-9190

Municipal (City) Measures §§306, 9200-9295

District Measures §§9300-9380

Bond Issue Measures §§9400-9405

School Measures §§350, 9500-9509

General Provisions applicable to all measures §§9600-9610

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# FORMATTING

Arguments and rebuttals are to be written in a block paragraph style.

## DO NOT USE:

- Bullets
  - Tables
  - Other formatting requiring indentation
  - Multiple punctuation (examples are: “.....” or “-----” or “!!!!”)
  - More than one (1 or 2 line paragraph). If you use more than one, it will be reformatted to the paragraph above or below.
- Words that are underlined, italicized, bolded or in all uppercase letters will be typeset in italics.**

**This list is not all inclusive. If you have any questions about what is acceptable, call 875-6276.**

**You may only capitalize YES or NO once in your Argument or Rebuttal. Such as, “vote YES on Measure A”**

Arguments and rebuttals that are not in compliance will be rejected by the elections official. The elections official bears no responsibility for the corrected format of arguments and rebuttals and does not proof for errors. Once submitted and filed, they cannot be changed.

**EXAMPLE**

Argument against Measure \_\_\_\_\_

Despite million dollar budget deficits, Sacramento County has the highest paid law enforcement officers in the entire region. After being on the force for five years, a deputy can make over \$86,000 in salary and benefits. Our deputies are good at their jobs, and are well paid – about four times more than the average worker’s salary in the region. But the deputy’s association isn’t satisfied.

They will spend more than \$500,000 to convince voters to approve “binding arbitration.” That way, if they can’t reach agreement with the County over the salary levels, benefits, assignments or the hours they want, an outside committee of arbitrators would set pay levels and working conditions.

It’s expensive, complicated and it will handcuff the veteran officers in charge of running the Sheriff’s Department. Worst of all, it will place the administration of the Sheriff’s office in the hands of a small, powerful committee accountable to no one, least of all taxpayers. That’s no way to run the Sheriff’s Department.

Should the deputy’s association refuse to agree to a labor contract, this three-member group will dictate how millions of taxpayers’ dollars will be spent on public safety. This group doesn’t have a worry about the county’s budget or even be experts in law enforcement. That’s dangerous.

Every day we count on the skill and experience of veteran deputies charged with running the Sheriff’s Department. Binding arbitration effectively handcuffs them by adding layers of complication to their daily management decisions. Cuts in the number of deputies who patrol our neighborhoods and schools could result if arbitrated settlements dictate higher personnel costs or staffing requirements in other areas. The risk is real.

Binding arbitration will comprise the solvency of Sacramento County, endanger public safety, and handcuff taxpayers and the management of the Sheriff’s Department. Vote no on Binding Arbitration.

Signed (insert signature exactly as typed) Date \_\_\_\_\_  
(type name here exactly as signed)

Signed (insert signature exactly as typed) Date \_\_\_\_\_  
(type name here exactly as signed)

Signed (insert signature exactly as typed) Date \_\_\_\_\_  
(type name here exactly as signed)

Signed (insert signature exactly as typed) Date \_\_\_\_\_  
(type name here exactly as signed)

## EXAMPLE

Argument in Favor of Measure \_\_\_\_

Two years ago, Sacramento Voters strongly supported Measure Q, which created a fair and impartial method of resolving contract disputes between the City of Sacramento and its police officers. The process is called binding arbitration.

Recently, over 65,000 Sacramento Citizens signed petitions to extend binding arbitration to our County Deputy Sheriffs. This arbitration procedure will only be used as a last resort, when all other attempts to settle labor contracts between the County and the Deputy Sheriffs have failed.

Here is how arbitration will work: Upon declaration of an impasse, all unresolved issues will be submitted to a three member Board of Arbitrators.

The Board of Arbitrators will be fairly constructed-one representative from the County, one from the Deputy Sheriffs' Association, and a neutral arbitrator who is agreed decision by both sides.

The Board will determine, by majority vote, which of the final positions on each issue is the realistic. Parties will then have ten days to mutually amend the Panel's decision or accept it as final

Protects Taxpayers: This measure, requires that the County's financial condition must be considered as part of any settlement recommendations. The Board of Arbitrators cannot raise taxes or fees. And the Board cannot reduce other County services to fund a Deputies' settlement.

Protects Residents: Public safety will be protected since the Deputies guarantee that under this new law there will be no work stoppage or strikes.

Protects Fairness: Binding arbitration does not favor either side in a labor dispute. It simply recognizes that everyone benefits by ending gridlock and reaching timely, fair out of court conclusions in labor negotiations.

John T. Doe,  
Pres. Sacramento County Probation Association

Jane Doe,  
Pres. Sacramento County Deputy Sheriffs' Association

Mary L. Smith,  
Pres. Sacramento Police Officers Association

William T. Smith,  
Small Business Owner

Alice Jones,  
Member of the State Assembly from Sacramento

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# Ballot Argument Signature Statement

The Sacramento County Voter Registration and Elections Office requires this statement be completed and submitted with the argument. Names and titles listed will be printed in the order provided, and will appear as indicated. In addition, no more than 5 names may be printed following the written argument statement in the Sample Ballot Voter Information Pamphlet.

**Argument/Rebuttal Filed by** (Check any of the following that apply)

- Board of Supervisors or any member(s) of the Board
- Individual voter who is eligible to vote on the measure
- Bona Fide Association of Citizens

**Ballot Argument Contact:**

Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Day Phone: \_\_\_\_\_ Evening Phone: \_\_\_\_\_

Cell Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

Work Phone: \_\_\_\_\_ E-mail: \_\_\_\_\_

**The undersigned author(s) of the:**

- Argument in Favor of**
- Argument Against**
- Rebuttal to the Argument in Favor of**
- Rebuttal to the Argument Against**

Ballot measure letter \_\_\_\_\_, to be voted on at the (Primary or General) election to be held on \_\_\_\_\_ in the County of Sacramento, and hereby state that this argument is true and correct to the best of his/her/their knowledge and belief.

**Each person must clearly print and sign as indicated below. Printing will be in the order as submitted.**

	Print Name Clearly	Print Title and Name of Organization	Signature	Date
1				
2				
3				
4				
5				



## Rebuttal Argument Alternate Signer Authorization Form

Any original author who wishes to allow someone else to sign the rebuttal argument in their place must authorize in writing on the form below.

I, \_\_\_\_\_ authorize the following person(s) to sign rebuttal to the:

- Argument in Favor of  
 Argument Against

Ballot Measure letter \_\_\_\_\_ for the election to be held on \_\_\_\_\_  
(Date of Election)

One or more people who signed the argument may be replaced with other people to sign the rebuttal argument:

*Please print clearly:*

1. \_\_\_\_\_ to sign instead of \_\_\_\_\_  
name of rebuttal signer name of argument signer

2. \_\_\_\_\_ to sign instead of \_\_\_\_\_  
name of rebuttal signer name of argument signer

3. \_\_\_\_\_ to sign instead of \_\_\_\_\_  
name of rebuttal signer name of argument signer

4. \_\_\_\_\_ to sign instead of \_\_\_\_\_  
name of rebuttal signer name of argument signer

5. \_\_\_\_\_ to sign instead of \_\_\_\_\_  
name of rebuttal signer name of argument signer

**Filer's Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_