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MEMORANDUM

TO: Board of Supervisors

FROM: Greg Gillott
County Counsel

DATE: January 21, 2016

RE: Advisory Ballot Measure for June 2016 Presidential Primary Election

This memo summarizes the Board's authority to call for an advisory ballot measure regarding whether to support the creation of a new State on the June 2016 Primary Election, provides suggested language for such a measure, and lists some of the main deadlines related to such a ballot measure.

1. Authority. Elections Code section 9603 allows for advisory votes:

(a) Each ... county ... may hold, at its discretion, an advisory election on any date on which that jurisdiction is currently permitted to hold a regular or special election for the purpose of allowing voters within the jurisdiction, or a portion thereof, to voice their opinions on substantive issues, or to indicate to the local legislative body approval or disapproval of the ballot proposal.

(b) An advisory vote will be indicated as a ballot heading, above the ballot proposal, and by only the following description: "Advisory Vote Only."

(c) As used in this section, "advisory vote" means an indication of general voter opinion regarding the ballot proposal. The results of the advisory vote will in no manner be controlling on the sponsoring legislative body.

2. Wording of Ballot Measure. An example of the wording for an advisory ballot measure is as follows:

1. "Should the Amador County Board of Supervisors adopt a Declaration of Support for the proposed separation from the State of California and formation of a new state?"

This language is the same that was used for two advisory ballot measures for Tehama and Del Norte Counties in June of 2014.

There are certainly other ways to word the advisory measure and the Board may consider any other possibilities, for example:

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2. “Should the Amador County Board of Supervisors adopt a resolution declaring support for a state split designed to allow counties in Northern California to form their own state?”

3. Timeline. There are several specific statutory deadlines set by Elections related to a County advisory ballot measure for June 2016, some of which are set forth below. The most critical for today’s purposes is the January 28 2016 deadline for the measure to be submitted to Elections.

January 28, 2016:	Deadline to submit Measure to Elections
February 12, 2016	Deadline for County Counsel Impartial Analysis
February 24, 2016	Deadline for Arguments For and Against
March 9, 2016	Deadline for Rebuttals For and Against