



RESULTS OF THE 2009 SPECIAL ELECTION

STATE AND LOCAL FISCAL MEASURES
APPEARING ON THE MAY 19, 2009
SPECIAL ELECTION BALLOTS

CDIAC No. 09-08

CALIFORNIA DEBT AND INVESTMENT
ADVISORY COMMISSION

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CALIFORNIA DEBT AND INVESTMENT ADVISORY COMMISSION

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ACKNOWLEDGEMENTS

After each statewide election, the commission publishes a statistical summary and review of bond and tax measures appearing on state and local ballots. This report, the 23rd in the series, details the results of the statewide special election held on May 19, 2009. Voters considered five statewide fiscal measures and eight local tax measures. They considered no bond measures.

County clerks, registrars of voters, and their staffs provided the information contained in this publication. Commission staff thank all the individuals and offices who graciously provided the material.

Nova Edwards compiled the data and prepared the analysis.

FISCAL MEASURES: RESULTS OF THE 2009 SPECIAL ELECTION

STATEWIDE FISCAL MEASURES

Voters considered five statewide measures in the 2009 Special Election. None of the measures received the necessary majority vote.

- PROPOSITION 1A proposed to change the state budget process, to increase state fiscal reserves, and to raise taxes by roughly \$16 billion from 2010-11 through 2012-13. Only 34.6 percent of voters approved the proposition.
- PROPOSITION 1B proposed to make supplemental payments to K-12 and community college districts, beginning in 2011-12. There were potential savings for the state General Fund in 2009-10 and 2010-11. Only 38.1 percent of voters approved the proposition.
- PROPOSITION 1C proposed to expand the lottery with the intention of raising more lottery revenues. The proposition would have authorized the state to borrow up to \$5 billion from future lottery profits for balancing the 2009-10 budget. Only 35.6 percent of voters approved the proposition.
- PROPOSITION 1D proposed to redirect a portion of a special tax for the purpose of providing savings to the General Fund of about \$600 million in 2009-10 and \$270 million in 2010-11. Only 34.0 percent of voters approved the proposition.
- PROPOSITION 1E proposed to redirect a portion of a special tax for the purpose of providing savings to the General Fund of about \$600 million in 2009-10 and \$270 million in 2010-11. Only 33.5 percent of voters approved the proposition.

LOCAL GENERAL AND SPECIAL TAX MEASURES

Local governments must also seek local voter approval for levies of certain revenue exactions, and especially taxes. The levies may be for a “general tax” or “special tax.” Proceeds of a general tax may be allocated at the discretion of the governing board, while “special tax” proceeds are earmarked.

The distinction between tax types matters for purposes of approving the levies. The State Constitution requires a simple majority for the imposition of a general tax, but a two-thirds approval for special taxes.

In the 2009 election, voters approved three of the eight local tax measures. As displayed in Figure 1, they approved half the general tax measures and one-quarter of the special tax measures.

The tax measures can be grouped into four categories by purpose: general government, K-12 education, public health and safety, and other. The results are summarized in Figure 2.

Figure 1

**MAY 19, 2009, ELECTION RESULTS LOCAL FISCAL MEASURES
BY APPROVAL RATE, GENERAL VS. SPECIAL TAX**

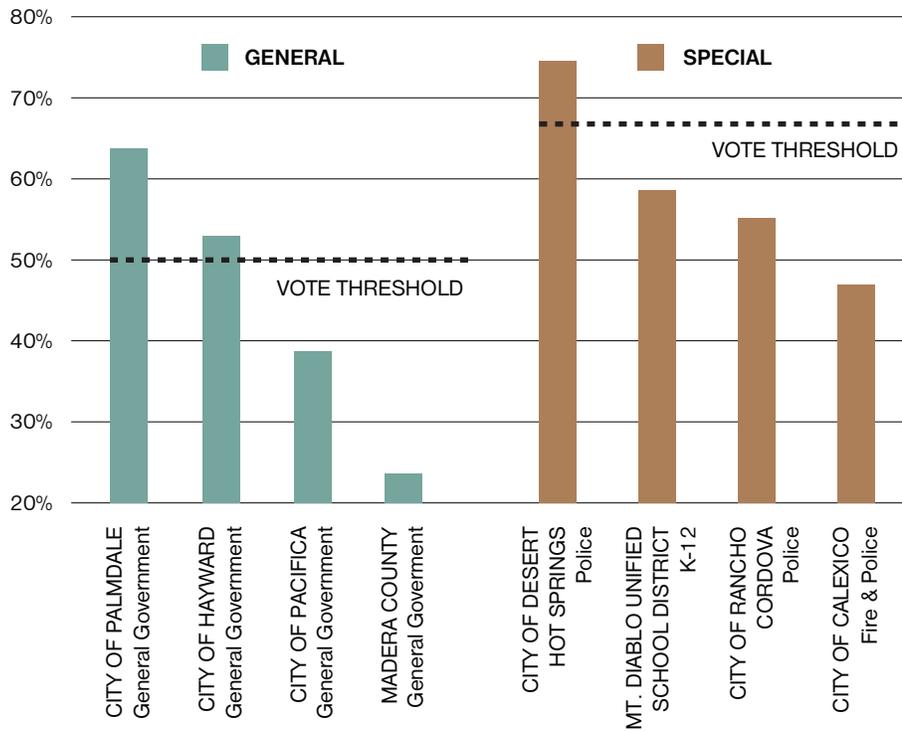


Figure 2

**SUMMARY OF RESULTS, TAX MEASURES BY PURPOSE
SPECIAL ELECTION, MAY 19, 2009**

PURPOSE	PASSED MEASURES		FAILED MEASURES		TOTAL MEASURES	
	NUMBER	PERCENT OF TOTAL	NUMBER	PERCENT OF TOTAL	NUMBER	PERCENT OF TOTAL
GENERAL GOVERNMENT	2	25.0%	2	25.0%	4	50.0%
K-12 EDUCATION	0	0%	1	12.5%	1	12.5%
PUBLIC HEALTH AND SAFETY	1	12.5%	1	12.5%	2	25.0%
OTHER	0	0%	1	12.5%	1	12.5%
TOTAL	3	37.5%	5	62.5%	8	100.0%

- **GENERAL GOVERNMENT.** Voters considered four general government tax measures: a utility user's tax (UUT), a transaction and use tax (sales tax), and two transient occupancy taxes (TOT). Voters approved the UUT and one of the TOTs.

The UUT authorizes a tax of 5.5 percent for 10 years on gas, electricity, video and telecommunications services in the City of Hayward (Alameda County). The proceeds will be used to maintain firefighters/fire stations, paramedics, and neighborhood police patrols. This measure, which required a majority vote, received 53 percent voter approval.

Voters in the City of Palmdale (Los Angeles County) increased the city's TOT from 7 percent to 10 percent. This increase, deemed a "general tax," is intended for programs to: (a) improve public safety (sheriff's deputies and gang/crime prevention), (b) provide senior services, (c) assist job creation, and (d) develop businesses. This measure, which required a majority vote, received 63 percent voter approval.

- **PUBLIC HEALTH AND SAFETY.** Voters approved one of the two public health and safety tax measures. Voters in the City of Desert Hot Springs (Riverside County) authorized an increase in the city's UUT rate, from 5 percent to 7 percent. Proceeds will be allocated for police/911 response, anti-gang programs, natural disaster preparedness, and graffiti removal. This measure, approved by 74.6 percent of voters, expires in 11 years.
- **K-12 EDUCATION.** One tax measure proposed levying a parcel tax for K-12 education purposes in Contra Costa County. The measure would have authorized an annual levy of \$99 per parcel. The funds would have been used to attract and retain quality teachers, maintain college and work force preparation programs, and enhance classroom technology.

Deemed a "special tax," the measure fell well short of the required two-thirds approval rate when it received 58.6 percent approval.

- **MISCELLANEOUS.** Voters in the City of Rancho Cordova (Sacramento County) considered a special tax to fund police services, maintain and improve city streets and sidewalks, landscaping, graffiti removal, and code enforcement. The measure received 55.1 percent of the vote

The election results can also be reviewed for regional differences. The results are divided into the five regions detailed in Figure 3. In the election, voters in the Bay Area, Inland Empire and Central Valley considered at least two measures each. In the Los Angeles region, they considered only one measure.

Figure 3
COUNTIES INCLUDED IN REGION

BAY AREA

Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, Santa Clara, Solano, and Sonoma Counties.

CENTRAL VALLEY

Butte, Colusa, El Dorado, Fresno, Glenn, Kern, Kings, Madera, Merced, Placer, Sacramento, San Joaquin, Shasta, Sutter, Stanislaus, Tehama, Tulare, Yolo, and Yuba Counties.

LOS ANGELES

Los Angeles, Orange, and Ventura Counties.

SAN DIEGO/INLAND EMPIRE

Imperial, San Diego, Riverside, and San Bernardino Counties.

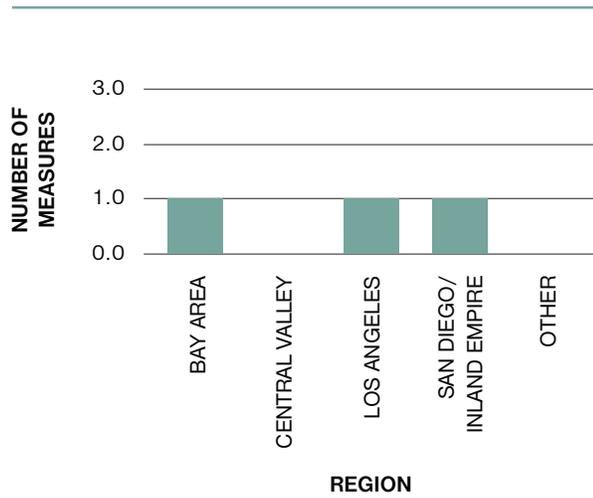
OTHER

Alpine, Amador, Calaveras, Del Norte, Humboldt, Inyo, Lake, Lassen, Mariposa, Mendocino, Modoc, Mono, Monterey, Nevada, Plumas, San Benito, San Luis Obispo, Santa Barbara, Santa Cruz, Sierra, Siskiyou, Trinity, and Tuolumne Counties. Also includes measures that span multiple counties in different regions.

As Figure 4 shows, the Bay Area, Los Angeles, and San Diego/Inland Empire regions each approved one tax measure.

Figure 4

**NUMBER OF MEASURES APPROVED
BY REGION, 2009 SPECIAL ELECTION**



COMPARING THE 2009 SPECIAL ELECTION TO PRIOR ELECTIONS

Since 1910, California has held 121 statewide elections, and 14 of these were special elections.¹ To provide a context for the preceding review, CDIAC staff have used data from prior elections.

Some commentators note that statewide elections have been more frequent in the 18 months prior to the May 2009 election than is typical. This could have affected both electoral results and turnout. In addition to the 2009 special election, California voters faced two primaries in 2008 (February and June), and a general election the following November.

COMPARING THE SPECIAL ELECTION RESULTS FOR LOCAL FISCAL MEASURES: 2005 AND 2009

The 2005 election had 90 measures on the ballot: 38 bond measures, 50 tax measures and two measures combining taxes and bond authorization. Bond measures were approved at nearly an 80 percent rate and tax measures were approved at a 60 percent rate.

Figure 5 compares the approval rates for fiscal measures on the 2005 and 2009 ballot. The passage rate for tax measures was significantly higher in 2005 than they were for the measures in 2009--60 percent versus 38 percent. Seventy-nine percent of the bond

measures passed in 2005. There were no bond measures on the ballot in 2009.

CDIAC notes:

- Measures requiring a majority vote passed more frequently in 2005 than they did in 2009. Voters approved 81.8 percent of the majority-vote measures in 2005, but only 50.0 percent of those measures in 2009.
- Voters approved 40.0 percent of measures requiring a two-thirds vote in 2005, but only one-quarter of the measures in 2009.
- In 2009, no ballots contained measures with a 55-percent approval requirement.

Overall, voters approved 66.7 percent of all measures on the 2005 ballot, compared to 37.5 percent of the measures on 2009 ballot. Please see Figure 6.

VOTER TURNOUT IS LOWEST SINCE 1935

Less than one-third of all registered voters participated in the May 2009 election. This is lower than the turnout for the previous General Election (held in November 2008), and the last Special Election (held

¹ Secretary of State website: www.sos.ca.gov/elections/sov/2009-special/4-5-historical-voter-reg-and-particip.pdf and www.sos.ca.gov/elections/sov/2008_primary_june/05_historical_voter_reg_primary_Jun08.pdf.

Figure 5

PASSAGE RATES OF LOCAL FISCAL MEASURES SPECIAL ELECTIONS, 2005 VS. 2009

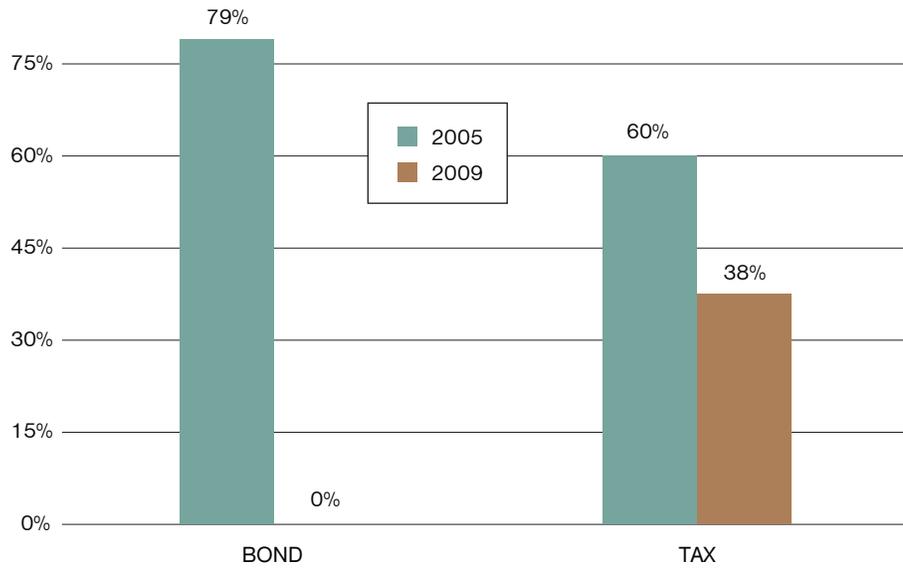


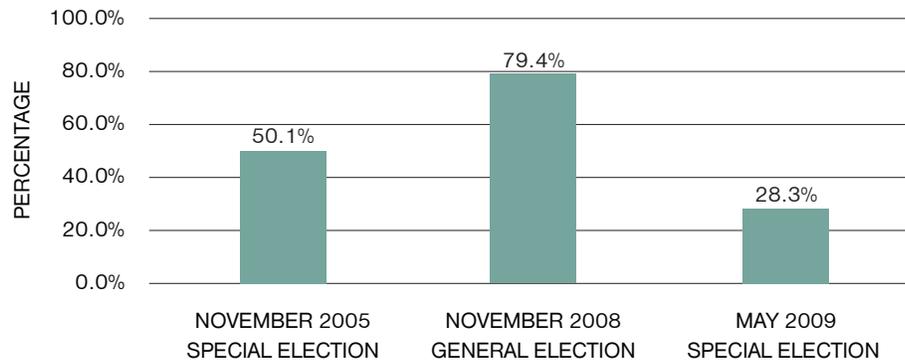
Figure 6

**ELECTION RESULTS, LOCAL FISCAL MEASURES, BY VOTE REQUIREMENT
2005 AND 2009 SPECIAL ELECTIONS**

VOTE REQUIREMENT	2005			2009		
	PASS	TOTAL	PERCENTAGE PASS	PASS	TOTAL	PERCENTAGE PASS
MAJORITY	18	22	81.8%	2	4	50.0%
55 PERCENT	28	33	84.8%	0	0	N/A
TWO-THIRDS	14	35	40.0%	1	4	25.0%
TOTAL	60	90	66.7%	3	8	37.5%

in November 2005). For a comparison of turnout for these elections, please see Figure 7. In fact, the 2009 turnout was the second-lowest turnout in state history. The lowest turnout was 17.5 percent, for a Special Election held on August 13, 1935.

Figure 7
COMPARISON OF VOTER TURNOUT



APPENDIX

Table A
SUMMARY OF LOCAL GENERAL AND SPECIAL TAX MEASURES, SPECIAL ELECTION, MAY 19, 2009

COUNTY	REGION	AGENCY	TYPE OF TAX	AMOUNT OF TAX	PURPOSE	MEASURE	% YES	% NO	RESULT
Alameda	Bay Area	City of Hayward	General Tax	Utility User's Tax: Impose tax of 5.5% on gas, electricity, video and telecommunications services, for 10 years only.	General Government	A	53.0	47.0	Pass
Contra Costa	Bay Area	Mount Diablo Unified School District	Special Tax	Parcel Tax: Levy annual tax of \$99 per parcel.	K-12 School Facilities	D	58.6	41.4	Fail
Imperial	San Diego/ Inland Empire	City of Calexico	Special Tax	Transaction and Use Tax: Impose one-half cent sales tax for 20 years.	Fire and Police Services	E	46.9	53.1	Fail
Los Angeles	Los Angeles	City of Palmdale	General Tax	Transient Occupancy Tax: Increase tax from 7% to 10%.	General Government	A	63.7	36.3	Pass
Madera	Central Valley	County of Madera	General Tax	Transient Occupancy Tax: Increase tax from 9% to 11%.	General Government	D	23.6	76.4	Fail
Riverside	San Diego/ Inland Empire	City of Desert Hot Springs	Special Tax	Utility User's Tax: Increase rate, which will sunset after 11 years, from 5% to 7%.	Police/9-1-1 response/ Anti-gang Programs/Natural Disaster Preparedness/Graffiti Removal	A	74.6	25.4	Pass
Sacramento	Central Valley	City of Rancho Cordova	Special Tax	Utility User's Tax: Continue 2.5% tax.	Police Services/Maintain & Improve City Streets, Sidewalks, Landscaping/Graffiti Removal/Code Enforcement	B	55.1	44.9	Fail
San Mateo	Bay Area	City of Pacifica	General Tax	Transaction and Use Tax: Adopt a one-cent sales tax expiring in 2016.	General Government	D	38.7	61.3	Fail

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