



**MEMORANDUM
OFFICE OF THE
PLACER COUNTY CLERK-RECORDER-
REGISTRAR OF VOTERS**

TO: Honorable Board of Supervisors
FROM: Jim McCauley, County Clerk-Recorder-Registrar of Voters
Ryan Ronco, Assistant Recorder-Registrar of Voters
DATE: January 8, 2013
SUBJECT: Information Re. Special General Election for State Senate Dist. 4 to be held
January 8, 2013

*Jim McCauley
RRC*

Action Requested

1. No Board action is requested. Information is presented on the Special General Election for State Senate Dist. 4 to be held on January 8, 2013.

Background

Senator Doug La Malfa vacated office on August 31, 2012, which created a vacancy in State Senate District 4. On September 5, 2012, Governor Brown called a special election to be held on January 8, 2013 in accordance with Elections Code Sections 10700 and 10703 to fill the State Senate Dist. 4 vacancy. A special primary election was held on November 6, 2012 (consolidated with the Presidential General Election). Under the provisions of Elections Code Section 10705, when a state legislative vacancy occurs, a candidate may be elected at the special primary election if he/she receives a majority of the votes. However, if no candidate receives a majority, the top two vote-getters will appear on the special general election ballot in accordance with Elections Code Section 10706.

At the November 6, 2012 Presidential General Election there were six candidates. Because no candidate received a majority of the votes, the names of the top two vote-getters will be placed on the January 8, 2013 Special General Election ballot. The candidates whose names will appear on the ballot are Jim Nielsen (R) and Michael "Mickey" Harrington (D). The candidate receiving the highest number of votes will be elected to serve the remainder of the term in the vacant State Senate District 4 seat. This term will expire December 8, 2014.

Fiscal Impact

State election law does not contain any provisions for the State to reimburse the counties involved for the cost of a special vacancy election. The estimated additional, "out-of-pocket" net General Fund costs for the January 8, 2013 Special General Election are \$217,100, not including regular Elections staff labor and benefit costs. However, the Adopted FY 2012-13 Final Budget for Elections contains sufficient appropriation to cover the additional, estimated costs for the State Senate Dist. 4 Special General Election.

