



Official Sample Ballot & Voter Information Pamphlet

**Statewide General Election
Tuesday ★ November 4, 2014**

Polls are open from 7 a.m. – 8 p.m.

This is your official COUNTY voter information guide. It includes a sample of the ballot you will vote in this election.



Get this guide online at www.votescount.com

If you are voting at the polls, **take this guide with you!** You can mark your choices on the sample ballot and use it to mark your official ballot.

If you are voting by mail, **your ballot will be mailed separately.**

The STATE will mail a separate guide with information on statewide contests to each voter's household in the state.

This guide also has information on:

- California's "Top 2" Election law
- Voting by mail, voting early, and weekend voting
- Candidates and measures on your ballot
- Answers to common voter questions
- Information on Services for Voters with Specific Needs

Check the back cover to find out:

- Where to vote - **your polling place may have changed!**
- How to vote-by-mail

Información en español al otro lado →



Santa Cruz County Elections Department
831-454-2060 ★ 866-282-5900 (toll-free)
TDD 831-454-2123 ★ FAX 831-454-2445
www.votescount.com



Muestra Oficial de Balota e Información para el Votante

Elección general estatal

Martes ★ 4 de noviembre de 2014

Las mesas electorales abren de 7 a.m. a 8 p.m.

Esta es su guía oficial del CONDADO con información para el votante.
Esta guía contiene una muestra de la balota que votará en esta elección.



Usted puede obtener esta guía en línea en www.votescount.com

Si usted va a votar en una mesa electoral, **lleve esta guía con usted!**
Usted puede marcar sus selecciones en la boleta de muestra y usarlo para
marcar su balota oficial.

Si usted vota por correo, **su balota será enviada por separado.**

El ESTADO enviará otra guía con información sobre la competición a nivel
estatal a los hogares de cada votante en el estado.

Éste folleto también le informa sobre:

- La ley electoral de California "Los dos primeros"
- Votar por correo, votación temprano y votación el fin de semana
- Candidatos y propuestas en su balota
- Respuestas a preguntas comunes de votantes
- Información sobre los servicios para votantes con necesidades específicas

Vea la contraportada para saber:

- Dónde votar - **puede ser que su lugar de votación ha cambiado!**
- Cómo votar por correo



Santa Cruz County Elections Department
831-454-2060 ★ 866-282-5900 (sin cargo)
TDD 831-454-2123 ★ FAX 831-454-2445

www.votescount.com

Key Dates and Deadlines

County Sample Ballot Booklets Mailing to Begin:	First part of October
State Voter Information Guide Mailing to Begin:	September/October
First day ballots mailed to military/overseas voters:	Friday, September 5
First day to mail vote-by-mail ballots:	Monday, October 6
Voting in person in Santa Cruz or Watsonville:	October 6 to November 4
Last Day to Register to Vote:	Monday, October 20
Last Day to request a ballot to be mailed to you:	Tuesday, October 28
Weekend Voting in Santa Cruz and Watsonville:	Saturday & Sunday November 1 and 2 9 a.m. to 5 p.m.

Election Day



**All Polling Places, Santa Cruz Elections,
and Watsonville City Clerk
Tuesday, November 4, 7 a.m. to 8 p.m.**

Canvass/audit of election begins:	Wednesday, November 5 8 a.m.
Deadline to certify election:	Tuesday, December 2 5 p.m.



For more information in English, please call 1-831-454-2060

Para más información en español, por favor llame al 1-831-454-2060

若需更多中文資訊，請致電1-831-454-5137

Para sa karagdagang impormasyon sa Tagalog, mangyaring tumawag sa 1-831-454-5135

VOTE - English

VOTO - Spanish

投票 - Chinese

BOTO - Tagalog (Filipino)

Why is Santa Cruz County Elections now required to print voting materials in other languages?

California law requires the Secretary of State in each January before a primary election for Governor to identify which precincts have 3% or more of the voting-age residents who are members of a single language minority and lack sufficient skills in English to vote without assistance.

What were the results for Santa Cruz County?

In Santa Cruz County, we are required to provide voting information in Spanish at most of our precincts. For this election, we will also provide voting materials in Chinese at 5 precincts and voting materials in Tagalog at 4 precincts.

What is Santa Cruz County Elections required to provide at those precincts?

Elections officials are required to do the following:

- Translate the ballot and related instructions in the specified languages;
- Post the translations at the identified polling place; and
- Recruit bilingual poll workers in the specified languages to serve at the identified polling places.

For more information in English, please call 1-831-454-2060

Para más información en español, por favor llame al 1-831-454-2060

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How to Mark Your Ballot

It is important to know how to properly mark your ballot and what the consequences can be when the ballot is not marked correctly.

How do I mark my ballot?

- Use only a blue or black ballpoint ink pen. *Do not* use red ink pens, Sharpies, markers or any other type of pen.
- Make **one single line** to connect the head and tail of the arrow that points to your choice.
- To vote for a *Candidate*, connect the head and tail of the arrow that points to the candidate's name.
- To vote on any *Ballot Question*, connect the head and tail of the arrow that points to your choice of YES or NO.
- To vote for a candidate for *Associate Justice of the Supreme Court or Associate Justice, Court of Appeal*, connect the head and tail of the arrow that points to the word YES. To vote against that candidate, connect the head and tail of the arrow that points to the word NO.



How do I vote for a Write-In Candidate?

If you want to vote for a candidate whose name is not printed on the ballot, you must:

1. Write the candidate's name in the space provided for that contest; and
2. You must connect the head and tail of the arrow to the right of the name you wrote in.



If you write in a candidate's name without connecting the head and tail of the arrow, the card reading equipment will not "see" the vote and your write-in vote may not be counted.

Also, only votes for qualified write-in candidates will be counted. To be a qualified write-in candidate, the candidate must have filed the required nomination documents within the timeframe specified by law. A list of qualified write-in candidates is available at the polling place on Election Day, and the list is posted on our website at www.votescount.com 13 days before the election.

What is an Overvote?

Marking more voting spaces than allowed for a contest is called an overvote. For example, if the contest heading states "Vote for no more than Two," and you connect the head and tail of three arrows, your votes for that contest will not benefit any of your selections.

What is an Undervote?

Marking fewer voting spaces than allowed for a contest is called an undervote. For example, if the contest heading states "Vote for no more than Two," and you connect the head and tail of only one arrow, your vote for the one candidate for whom you marked the voting space will be counted.

If I make a mistake marking my ballot, how do I fix it?

The best option is to get a new ballot. If you are at the polls, ask the precinct officer for a new ballot. If you are voting by mail, follow the instructions provided with your ballot packet.

How can I make sure my ballot will count?

DO NOT sign your name on your ballot, write your initials, or write any other words or marks on your voted ballot. Also, if you make a mistake and use an eraser to correct it, your original mark may make it unclear how you want to vote. It is best to get a new ballot and start over.

Cómo marcar su balota

Es importante saber cómo marcar correctamente su balota de votación y cuáles serían las consecuencias si la marcara incorrectamente.

¿Cómo marco mi balota?

- Use sólo un bolígrafo con tinta azul o negra.
NO use bolígrafos de tinta roja, Sharpies, ni ningún otro tipo de bolígrafo.
- Dibuje una sola línea que conecte la cabeza y la cola de la flecha que señala a su selección.
- Para votar a favor de un *candidato*, conecte la cabeza y la cola de la flecha que señala al nombre de candidato.
- Para votar sobre cualquier *pregunta de la balota*, conecte la cabeza y la cola que apunte a su selección de SÍ o NO.
- Para votar por un candidato para Juez Asociado de la Corte Suprema o Juez Asociado, Corte de Apelaciones, conecte la cabeza y la cola que apunte a la palabra SÍ. Para votar en contra de ese candidato, conecte la cabeza y la cola que apunte a la palabra NO.



¿Cómo votar por un candidato que será agregado?

Si usted quiere votar a favor de un candidato cuyo nombre no está impreso en la balota, usted debe:

1. escribir el nombre del candidato en el espacio proporcionado para ese cargo, y
2. unir la cabeza y la cola de la flecha a la derecha del nombre que escribió.



Si usted escribe el nombre del candidato sin unir la flecha de cabeza a la cola, el equipo que lee las tarjetas no podrá “ver” el voto y no contará su voto escrito.

También, solamente los votos para los candidatos inscritos calificados serán contados. Para ser un candidato inscrito calificado, el candidato debe haber archivado los documentos requeridos del nombramiento dentro del calendario especificado por la ley. Una lista de candidatos inscritos calificados está disponible en el lugar de votación el día de elección, y la lista es ubicada en nuestro sitio web en www.votescount.com 13 días antes de la elección.

¿Qué es un “Voto en Exceso”?

Marcar más espacios de votación de lo permitido en una contienda se llama un voto en exceso. Por ejemplo, si el título de la competencia indica “Vote por no más de dos,” y usted conecta tres flechas de la cabeza a la cola, no se contará ninguno de sus votos por esa contienda.

¿Qué es un “Voto de Menos”?

Marcar menos espacios de votación de lo permitido en una contienda se llama un voto de menos. Por ejemplo, si el título de la competencia indica “Vote para no más de dos,” y usted conecta solamente una flecha de la cabeza a la cola, su voto para el candidato para quien usted marco el espacio de votación será contada.

Si hago algún error al marcar mi balota, ¿cómo lo arreglo?

Lo que más conviene es obtener una balota nueva. Si está en una mesa electoral, pida una balota nueva al funcionario del distrito electoral. Si vota por correo, siga las instrucciones incluidas en su paquete de la balota.

¿Cómo puedo asegurar que mi balota se contará?

NO debe firmar su nombre en la balota, ni poner sus iniciales o escribir ninguna otra palabra o marca en la balota votada. También, si comete un error y usa un borrador para corregirlo, su marca original podría ocasionar que su balota se cuente de manera incorrecta. Sería mejor conseguir una balota nueva y empezar de nuevo.

How to Vote a Paper Ballot

1. Look **here** to know how many candidates to vote for. If you vote for too many candidates, your vote for that contest will not be counted.

Tip: It's OK to not vote on all contests.

2. Draw ONE line to connect the head and tail of the arrow next to your choice(s). Use a **blue** or **black-ink** ballpoint pen.

COUNTY	
Sheriff-Coroner	Vote for one
THOMAS ONE Businessman	← █ █
JILL TWO Police Officer	← █ █
CARLOS THREE Probation Officer	← █ █
	← █ █



3. To vote for a write-in candidate, write the candidate's name on the blank line next to the bottom arrow. Then connect the head and tail of that arrow.

4. After voting, take your ballot to the scanner. Insert your ballot. If you made a mistake, such as voting for too many candidates, the scanner will reject your ballot so you can correct it.



If you prefer to vote a **touchscreen** ballot, see *How to Vote a Touchscreen Ballot*.

Cómo votar una boleta electoral de papel

1. Aquí le dice por cuántos candidatos puede votar. Si vota por demasiados candidatos, su voto para ese cargo no se contará.

Recuerde: No tiene que votar para todos los cargos.

2. Trace UNA línea para conectar la primera y la segunda parte de la flecha junto a su(s) opción(es). Use una pluma de tinta azul o negra.

COUNTY	
Sheriff-Coroner	Vote for one
THOMAS ONE Businessman	← →
JILL TWO Police Officer	← →
CARLOS THREE Probation Officer	← →
	← →



3. Para votar por un candidato que no esté en la lista, escriba el nombre del candidato en la línea en blanco al lado de la última flecha. Luego, conecte las dos partes de esa flecha.

4. Después de votar, lleve su boleta al lector óptico. Ingrese su boleta. Si cometió un error, como haber votado por demasiados candidatos, el lector óptico le devolverá su boleta para que la pueda corregir.



Si prefiere votar una boleta **electrónica**, vea *Cómo votar una boleta electrónica*.

How to Vote a Touchscreen Ballot

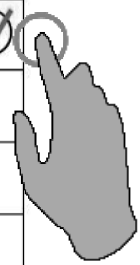


With touchscreen voting, all voters – including those with disabilities – can vote privately and independently.

Here's how:

- 1.** A poll worker will give you a ticket. Take it to the touchscreen area. When it's your turn, a poll worker will activate the screen so you can vote.
- 2.** Touch the box for the choice you prefer. A green check mark will appear.
- 3.** To change your vote, touch that choice again. The green check mark will disappear.
- 4.** To vote for a write-in candidate, touch the box that says **WRITE-IN**. A keyboard will pop up. Type the write-in candidate's name, then touch **OK**.
- 5.** Review your voted ballot on screen. If you want to make changes, you can void it and start again.
- 6.** Protect your vote! Do **not** leave until you see the green thank you screen, like this:

NONPARTISAN	
COUNTY	
Sheriff-Coroner Vote for one	
THOMAS ONE Businessman	<input checked="" type="checkbox"/>
JILL TWO Police Officer	<input type="checkbox"/>
CARLOS THREE Probation Officer	<input type="checkbox"/>
WRITE-IN	



**Touch Here to Print
and Review a Paper
Record of Your Ballot**

**Vote Recorded.
Thank You.**

If you prefer to vote a **paper** ballot, see *How to Vote a Paper Ballot*.

Cómo votar una boleta electrónica



Con la votación electrónica, todos los votantes – incluyendo los que tengan discapacidades – pueden votar en forma privada e independiente.

Se hace así:

1. Un trabajador de la mesa electoral le entregará un boleto. Llévelo a la zona de votación electrónica. Cuando sea su turno, un trabajador de la mesa electoral activará la pantalla, para que usted pueda votar.
2. Toque el casillero correspondiente al candidato que prefiera. Aparecerá una marca verde de verificación.
3. Para cambiar su voto, vuelva a tocar esa opción. La marca verde de verificación desaparecerá.
4. Para votar por un candidato que no esté en la lista, toque el casillero que dice WRITE-IN. Aparecerá un teclado. Escriba el nombre del candidato por quien desea votar. Luego toque **OK**.
5. Repase su boleta votada en la pantalla. Si desea hacer cambios, la puede borrar y empezar de nuevo.
6. ¡Proteja su voto! **No** se vaya hasta que vea la pantalla verde de agradecimiento, así:

NONPARTISAN	
COUNTY	
Sheriff-Coroner Vote for one	
THOMAS ONE Businessman	<input checked="" type="checkbox"/>
JILL TWO Police Officer	<input type="checkbox"/>
CARLOS THREE Probation Officer	<input type="checkbox"/>
WRITE-IN	



**Toque aquí para imprimir
y repasar un comprobante
en papel de su boleta.**

**Su voto se ha
registrado. Gracias.**

Si prefiere votar una boleta de **papel**, vea *Cómo votar una boleta de papel*.

Register and Vote



What is the deadline to register to vote?

You must register to vote at least *15 days before* the election. The deadline to register for the November 4 election is *October 20, 2014*.

Do I need to register again for each election?

No. Fill out a new Voter Registration card **only** if you have: Moved, Changed your name, or Think you haven't voted in the last 4 years.

Where can I register to vote?

You can register to vote online at www.votescount.com or pick up a Voter Registration card at: Post Office; DMV; Library; City Hall; Fire Station, or County Clerk/Elections Office.

Can I vote early?

Yes. You can vote early starting October 6. To vote early you can go to:

- Santa Cruz County Elections Department (Tel: 831-454-2060)
701 Ocean St., Room 210
Monday - Friday: 8 a.m. - 5 p.m.
- Watsonville City Clerk's Office (Tel: 831-768-3040)
275 Main St., 4th Floor (6th floor of the parking garage)
Monday - Thursday (closed Friday): 8 a.m. - 5 p.m.

For *Weekend Voting* on Saturday and Sunday, November 1 and 2 you may go to either address listed above, from 9 a.m. - 5 p.m.

The early voting poll workers will give you a ballot. You can vote there, or take your ballot home and return it later. If you want a relative or someone you live with to pick up your ballot, you must fill out and sign an application for a vote-by-mail ballot. An application is on the back cover of this Pamphlet.

Can I vote by mail?

Yes! You can vote by mail for this election only, or for all future elections. But you must fill out an application or call us at 831-454-2060.

There is a vote-by-mail application on the back cover of this Pamphlet. You can also fill out a vote-by-mail application online at: www.votescount.com

We must receive your application by **October 28**.
You can mail it, take it, or fax it to us at: 831-454-2445.

Overseas voters, military personnel and their dependents can get a vote-by-mail ballot by asking your commanding officer, or go to: www.votescount.com

Where do I vote on Election Day?

Go to the polling place that is listed on the back cover of this Pamphlet. Take this Pamphlet with you to the polls. It will make checking in and voting quicker and easier.

Polls are open from 7 a.m. - 8 p.m.

Important! Your polling place may have changed since the last election. You can get directions online at www.votescount.com

Registrarse y votar



¿Cuál es la fecha límite para registrarse para votar?

Usted debe registrarse para votar por lo menos *15 días* antes de las elecciones. La fecha límite para registrarse para las elecciones del 4 de noviembre es el *20 de octubre del 2014*.

¿Necesito inscribirme otra vez en cada elección?

No. Llene una tarjeta nueva de inscripción electoral **solo** si: se cambió de domicilio, se cambió de nombre, o cree que no ha votado en los últimos 4 años.

¿Dónde puedo inscribirme para votar?

Usted puede inscribirse para votar en línea en www.votescount.com o recoger una tarjeta de registro de votantes en: Oficina de correos, DMV, Biblioteca, Palacio municipal, Estación de bomberos, y Secretario del condado/Oficina de elecciones.

¿Puedo votar por adelantado?

Sí. Puede votar a partir del 6 de octubre. Si desea votar por adelantado, vaya a:

- Departamento de Elecciones Condado de Santa Cruz (Tel: 831-454-2060)
701 Ocean St., Sala 210
De lunes a viernes, de 8 a.m. a 5 p.m.
- Oficina del Secretario Municipal de Watsonville (Tel: 831-768-3040)
275 Main St., 4º piso (6º piso del garaje de estacionamiento)
De lunes a jueves (viernes cerrado), de 8 a.m. a 5 p.m.

Si desea *votar en el fin de semana* el sábado y domingo, 1 y 2 de noviembre puede ir a cualquiera de las direcciones indicadas arriba de 9 a.m. a 5 p.m.

Los trabajadores de la mesa electoral de votación temprana le darán la balota. Puede votar allí o llevarse la balota a casa y entregarla más tarde. Si desea que un familiar o alguien que viva en su hogar recojan su balota, debe llenar y firmar una solicitud para una balota de votación por correo. En la contraportada de este folleto encontrará una solicitud.

¿Puedo votar por correo?

¡Sí! Puede votar por correo ya sea sólo en estas elecciones, o en todas las elecciones futuras. Pero tiene que llenar una solicitud o llamarnos al 831-454-2060.

En la contraportada de este folleto hay una solicitud de votación por correo. También puede llenar una solicitud de votación por correo en línea: www.votescount.com

Tenemos que recibir su solicitud no más tardar del **28 de octubre**.

Puede enviarla por correo, llevarla en persona o enviarla por fax al: 831-454-2445.

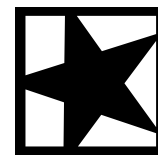
Los votantes en el extranjero, el personal militar y sus dependientes pueden recibir una balota de votación por correo preguntando a su oficial de comando o visite: www.votescount.com

¿Dónde voto el día de las elecciones?

Vaya al lugar de votación indicado en la contraportada de este folleto. Lleve este folleto con usted a las mesas electorales. De esa manera los funcionarios electorales lo podrán recibir (y usted podrá votar) más rápido y más fácilmente.

Las mesas electorales abren de 7 a.m. a 8 p.m.

¡Importante! Su lugar de votación podría haber cambiado desde las últimas elecciones. Puede obtener direcciones en: www.votescount.com



“Top 2” Election in California

What is a “Top 2” Election?

In the Top 2 Primary in June, you were able to vote for *any* candidate (for most races), even if you were not in the same political party. The top 2 candidates - the ones who got the most votes in the primary - are on your General Election ballot in November.

What does *party preference* mean?

Party preference refers to the political party the candidate is registered with. It's listed under each candidate's name on the ballot. The word “None” appears for candidates who are *not* registered with a party. For example:

JOHN SMITH

Party Preference: Democratic

JANE DOE

Party Preference: Republican

CHRIS JONES

Party Preference: None

Do all offices follow the Top 2 rules?

No. Top 2 only applies to these voter-nominated offices:

- ★ Congress Member
- ★ Statewide offices (such as Governor, Lieutenant Governor, Attorney General, etc.)
- ★ State Assembly Member
- ★ Board of Equalization

Can the Top 2 candidates be from the same party?

Yes. The Top 2 candidates might be from the same party, different parties, or no party.

How will my party registration impact the ballot I receive in November?

All voters, regardless of political party registration or no party preference, will receive the same ballot in November. Ballots are different depending on where you live. Your place of residence impacts which contests you are eligible to vote.

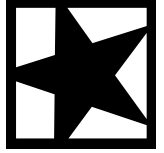
Can I still write in a candidate on my ballot?

No. There is no write-in space for the voter-nominated offices listed above. For other contests on the ballot, such as county, city, school, and special district, you are allowed to write in a candidate.

What if I have questions about Top 2?

- ★ Call the Elections Department at **831-454-2060**, or
- ★ Visit our website at: www.votescount.com

“Los dos primeros” Elecciones en California



¿Qué es “los dos primeros” de las elecciones?

Con “los dos primeros” en la primaria en Junio usted pudo votar por *cualquier* candidato (para la mayoría de las contiendas) aunque no estuviera en el mismo partido político. Los candidatos que sean “los dos primeros” (los que obtienen la mayoría de los votos en las primarias) estarán en la boleta de elecciones generales en noviembre.

¿Qué significa *preferencia de partido*?

Preferencia de partido se refiere al partido político al que usted (o el candidato) está registrado. El partido se indica debajo del nombre de cada candidato en la boleta. Para los candidatos *no* registrados con ningún partido aparece la palabra “ninguno”. Por ejemplo:

JOHN SMITH

Preferencia de partido: Demócrata

JANE DOE

Preferencia de partido: Republicano

CHRIS JONES

Preferencia de partido: Ninguno

¿Todas las oficinas siguen las reglas de “los dos primeros”?

“Los dos primeros” se aplica a estos puestos nominados por los votantes:

- ★ Congresista de EE.UU.
- ★ Puesto constitucional del estado (como el gobernador, vicegobernador, procurador general, etc.)
- ★ Asambleísta estatal
- ★ Junta Directiva Estatal de Impuestos Sobre Ventas

Pueden “los dos primeros” candidatos ser del mismo partido?

Sí. “Los dos primeros” candidatos pueden ser del mismo partido, de diferente partido o no pertenecer a ningún partido.

¿Como afecta mi registro de partido la balota que reciba en noviembre?

Todos los votantes, independientemente del registro de partidos políticos o ninguna preferencia partidaria, recibirán la misma boleta electoral en noviembre. Las boletas son diferentes dependiendo de donde usted vive. Su lugar de residencia es lo que afecta en cuales concursos usted es elegible para votar.

¿Puedo escribir el nombre de un candidato en mi boleta?

No. No hay un espacio para escribir los nombres de los nominados de las oficinas mencionadas anteriormente. Para otros concursos en la boleta electoral, como condado, ciudad, escuela y distrito especial, se le permite escribir un candidato.

¿Qué hago si tengo preguntas acerca de “los dos primeros”?

- ★ Llame a la departamento de elecciones al 831-454-2060 o
- ★ Visite nuestro sitio web en: www.votescount.com

Services for Voters with Specific Needs



Accessible Polling Places

The mailing label on the back cover of this booklet indicates next to the accessibility sign if the polling place is accessible to voters with disabilities. Mitigation measures such as temporary thresholds, ramps, signage, cones, and door props, are used to improve access to the facility.

Accessible Voting Equipment

Each polling place in the county is equipped with one touch screen voting unit that allows the voter to select a ballot in English or Spanish. Voters may also display the ballot in a large 24 point font. The unit also allows the voter to access a recorded ballot and is equipped with a universal plug in for the voter's personal assistance device.

Curbside Voting

Any voter may request to vote at an accessible place as near as possible to the polling place, including the voter's car. The poll worker will qualify the person to vote, and return the voted ballot to the polling place.

To arrange this service, please call the County Clerk/Elections staff at 831-454-2060 to coordinate a time and place where the poll worker will meet the voter. Or, if the curbside voter has an assistant, that person may enter the polling site and request the curbside voting service.

Permanent Vote-by-Mail Voting or One-Time Voting by Mail

Use the application on the back cover and apply by the deadline for a vote-by-mail ballot for this one election or all future elections.

Vote in Person Starting October 6

Come to either the County Clerk/Elections Department, located on the second floor in the County Government Center, at 701 Ocean Street, Room 210 in Santa Cruz, or Watsonville City Clerk's Office, located at 275 Main Street, 4th Floor (6th floor of parking garage) in Watsonville, and vote in person at the office or obtain a ballot and take it home.

Ballot Delivery

Call us at 831-454-2060 and accommodations will be made, including delivering a ballot to your home and returning it to the Elections Department. Please call prior to Election Day so there will be sufficient time to provide assistance.

A Ride to Your Polling Site

Call us at 831-454-2060, and we will arrange to have an accessible van pick you up and take you to the polls to vote. Please call prior to Election Day to make an appointment.

Other Services

TDD: 831-454-2123. **Recordings** of the information printed in the State Voter Guide are available for visually impaired voters or others upon request. The County provides a similar recording of the text, analyses, arguments and rebuttals for the local measures. The recordings are made available approximately four weeks before the election.

Servicios para Votantes con Necesidades Específicas



Urnas accesibles

La etiqueta del domicilio en la cubierta al dorso de este folleto indica al lado del letrero de accesibilidad si el lugar de las urnas es accesible a los votantes con discapacidades. Se han empleado medidas de mitigación para mejorar el acceso a la instalación como umbrales temporales, rampas, señalización, conos y sostenes para puertas. También puede considerar las siguientes opciones.

Equipo Accesible Para Votar

Cada lugar con las urnas en el condado esta equipada con una unidad de pantalla táctil para votar que permite que el votante seleccione la balota en inglés o español. Votantes también podrán desplegar la balota en grande con un punto fuente de 24. Cada unidad también permite que el votante pueda acceder una balota grabada que esta equipada con un enchufe universal para la asistencia personal del votante.

Votar en la acera

Todo votante puede solicitar votar en un lugar accesible lo más cerca posible al lugar de las urnas, el coche del votante entre otros. El trabajador de casilla permitirá que la persona vote y regresará la balota con el voto a las urnas.

Para hacer los preparativos para este servicio es importante que el votante llame al personal del County Clerk/Elections al 831-454-2060 para fijar la hora y lugar dónde el trabajador de casilla se reunirá con el votante. O si el votante que votará en la acera tiene un ayudante, esta persona podrá entrar a las urnas y solicitar el servicio en la acera.

Condición permanente de votar por correo o votar por correo una sola vez

Use la solicitud en la cubierta del dorso y presente la solicitud antes de la fecha límite para recibir una balota para votar por correo para esta elección o todas las elecciones futuras.

Vote en persona comenzando el 6 de octubre

Venga al County Clerk/Elections Department (Secretaría del Condado/Departamento de Elecciones), ubicado en el segundo piso en el Centro de Gobierno del Condado, en 701 Ocean Street, Cuarto 210 en Santa Cruz, o en la Watsonville City Clerk's Office (Secretaría Municipal de Watsonville), ubicada en el 4º piso (6º piso del garaje de estacionamiento) en 275 Main Street en Watsonville y vote en persona en esas oficinas u obtenga una balota y llévesela a su casa.

Entrega de balotas

Llámenos al 831-454-2060 y se harán preparativos, entre éstos entrega al domicilio de la balota y regresarla al Departamento de Elecciones. Por favor llame antes del día de Elecciones para tener tiempo suficiente de proveer esta ayuda.

Transporte a su lugar de votación

Llámenos al 831-454-2060 y haremos los arreglos para enviar una camioneta con accesibilidad para recogerle a usted, y llevarle al centro electoral para votar. Por favor, llame antes del día de las elecciones para hacer su cita.

Otros Servicios

TDD: 831-454-2123. **Grabados** con la información impresa en la Guía estatal están disponibles para los votantes con impedimentos de vista o para todos aquellos que lo soliciten. El Condado también provee una grabación del texto de los análisis, argumentos y refutaciones de las medidas locales. Los grabados están disponibles aproximadamente cuatro semanas antes de la elección.

Voter Information



How do I contact a candidate?

Local candidate contact information is posted on the Santa Cruz County Clerk's website at www.votescount.com
Statewide candidate contact information is posted on the Secretary of State's website at www.sos.ca.gov
You may also call our office at 831-454-2060.

Where do I find candidates' campaign finance reports?

Campaign financial disclosure statements filed by local candidates are posted online at www.votescount.com
Cal-Access provides financial information supplied by state candidates, donors, lobbyists, and others and can be found at www.sos.ca.gov
Reports may also be obtained from the elections official with whom the candidate files.

Party Endorsements

Parties have the option of submitting candidate endorsements for printing in this pamphlet. Not all parties participate and parties may endorse a candidate from another party. Elections Code §13302(b)

Office	Republican	American Independent	Democratic
Governor	Neel Kashkari	None	Edmund G. "Jerry" Brown
Lt. Governor	Ron Nehring	None	Gavin Newsom
Sec. of State	Pete Peterson	Pete Peterson	Alex Padilla
Controller	Ashley Swearengin	Ashley Swearengin	Betty T. Yee
Treasurer	Greg Conlon	None	John Chiang
Attorney General	Ronald Gold	Ronald Gold	Kamala D. Harris
Insurance Com.	Ted Gaines	Ted Gaines	Dave Jones
Brd. of Equal. 2 nd	James E. Theis	None	Fiona Ma
18 th Congress	Richard B. Fox	None	Anna G. Eshoo
20 th Congress	None	None	Sam Farr
29 th Assembly	Palmer Kain	None	Mark Stone
30 th Assembly	Mark Starritt	None	Luis Alejo

Prop. 34 - Expenditure Limitations: State Legislative Candidates

The law requires county election officials to provide the names of those State Legislative candidates who have voluntarily agreed to expenditure limits. Candidates who agree to the expenditure limits may submit and pay for a Candidate's Statement of Qualifications to be printed in this pamphlet.

The following State Legislative candidates have accepted the voluntary expenditure limitations:

29th State Assembly

Palmer Kain (Rep)
Mark Stone (Dem)

30th State Assembly

Luis Alejo (Dem)
Mark Starritt (Rep)

Información para el elector



¿Cómo puedo comunicarme con un candidato?

Los datos de contacto para los candidatos locales aparecen en el sitio de Internet del Secretario del Condado de Santa Cruz en www.votescount.com

Información de contacto para los candidatos estatales aparece en el sitio del Secretario de Estado en www.sos.ca.gov
También, puede llamar a nuestras oficinas al 831-454-2060.

¿Dónde puedo encontrar informes financieros de campaña de los candidatos?

Las declaraciones de información financiera presentadas por los candidatos locales aparecen en internet en www.votescount.com

Cal-Access ofrece información financiera suministrada por los candidatos para cargos estatales, donantes, cabilderos y otros, y puede encontrarse en www.sos.ca.gov

También, puede obtener informes del funcionario electoral con quien el candidato presenta documentos.

Respaldo político por partido

Los partidos tienen la opción de presentar endosos de los candidatos para la impresión de este folleto. No todos los partidos participan y los partidos pueden apoyar a un candidato de otro partido. Elecciones Código §13302 (b)

Oficina	Republicano	Independiente Americano	Demócrata
Gobernador	Neel Kashkari	Ninguno	Edmund G. "Jerry" Brown
Vicegobernador	Ron Nehring	Ninguno	Gavin Newsom
Sec. de Estado	Pete Peterson	Pete Peterson	Alex Padilla
Contralor	Ashley Swearengin	Ashley Swearengin	Betty T. Yee
Tesorero	Greg Conlon	Ninguno	John Chiang
Procurador General	Ronald Gold	Ronald Gold	Kamala D. Harris
Com. de Seguros	Ted Gaines	Ted Gaines	Dave Jones
2º BOE	James E. Theis	Ninguno	Fiona Ma
18º Congreso	Richard B. Fox	Ninguno	Anna G. Eshoo
20º Congreso	Ninguno	Ninguno	Sam Farr
29º Asamblea	Palmer Kain	Ninguno	Mark Stone
30º Asamblea	Mark Starritt	Ninguno	Luis Alejo

Propuesta 34 - Límites de desembolsos: Candidatos para la legislatura estatal

La ley requiere que los funcionarios electorales faciliten los nombres de aquellos candidatos para la legislatura estatal que hayan aceptado, voluntariamente, los límites de desembolsos. Los candidatos que acuerdan aceptar límites de desembolsos pueden someter y pagar una declaración de calificaciones de candidato que se imprimirá en este folleto.

Los siguientes candidatos para la legislatura estatal han aceptado los límites de desembolsos voluntariamente:

Asamblea Distrito 29

Palmer Kain (Rep)

Mark Stone (Dem)

Asamblea Distrito 30

Luis Alejo (Dem)

Mark Starritt (Rep)

Sample Ballot / Muestra de Balota

VOTER-NOMINATED OFFICES	VOTER-NOMINATED OFFICES	JUDICIAL Vote Yes or No for Each Office
Governor <i>Vote for One</i> EDMUND G. "JERRY" BROWN Party Preference: Democratic Governor of California	UNITED STATES REPRESENTATIVE 18th District <i>Vote for One</i> RICHARD B. FOX Party Preference: Republican Pediatrician/Attorney	FOR ASSOCIATE JUSTICE COURT OF APPEAL, 6th DISTRICT
NEEL KASHKARI Party Preference: Republican Businessman		Shall Associate Justice PATRICIA BAMATTRE-MANOUKIAN YES be elected to the office for the term provided by law? NO
Lieutenant Governor <i>Vote for One</i> RON NEHRING Party Preference: Republican Small Businessman/Educator	ANNA G. ESHOO Party Preference: Democratic Member of Congress	FOR ASSOCIATE JUSTICE COURT OF APPEAL, 6th DISTRICT
GAVIN NEWSOM Party Preference: Democratic Lieutenant Governor	MEMBER OF THE STATE ASSEMBLY	Shall Associate Justice MIGUEL MARQUEZ YES be elected to the office for the term provided by law? NO
Secretary of State <i>Vote for One</i> ALEX PADILLA Party Preference: Democratic California State Senator	29th District <i>Vote for One</i> MARK STONE Party Preference: Democratic Assemblymember	FOR ASSOCIATE JUSTICE COURT OF APPEAL, 6th DISTRICT
PETE PETERSON Party Preference: Republican Educator/Institute Director	PALMER KAIN Party Preference: Republican	Shall Associate Justice FRANKLIN D. ELIA YES be elected to the office for the term provided by law? NO
Controller <i>Vote for One</i> ASHLEY SWEARENGIN Party Preference: Republican Mayor/CEO	JUDICIAL Vote Yes or No for Each Office	NONPARTISAN
BETTY T. YEE Party Preference: Democratic California State Board of Equalization Member	FOR ASSOCIATE JUSTICE OF THE SUPREME COURT	SCHOOL
Treasurer <i>Vote for One</i> JOHN CHIANG Party Preference: Democratic California State Controller	Shall Associate Justice GOODWIN LIU YES be elected to the office for the term provided by law? NO	Superintendent of Public Instruction <i>Vote for One</i> TOM TORLAKSON Educator/California Superintendent
GREG CONLON Party Preference: Republican Businessman/CPA	FOR ASSOCIATE JUSTICE OF THE SUPREME COURT	MARSHALL TUCK Educator/Schools' Executive
Attorney General <i>Vote for One</i> KAMALA D. HARRIS Party Preference: Democratic Attorney General of California	Shall Stanford University Law Professor MARIANO-FLORENTINO CUÉLLAR YES be elected to the office for the term provided by law? NO	Measures Submitted to the Voters
RONALD GOLD Party Preference: Republican California Attorney	FOR ASSOCIATE JUSTICE OF THE SUPREME COURT	STATE
Insurance Commissioner <i>Vote for One</i> DAVE JONES Party Preference: Democratic Insurance Commissioner	Shall Associate Justice KATHRYN MICKLE WERDEGAR YES be elected to the office for the term provided by law? NO	1 WATER BOND. FUNDING FOR WATER QUALITY, SUPPLY, TREATMENT, AND STORAGE PROJECTS. Authorizes \$7.545 billion in general obligation bonds for state water supply infrastructure projects, including surface and groundwater storage, ecosystem and watershed protection and restoration, and drinking water protection. Fiscal Impact: Increased state bond costs averaging \$360 million annually over 40 years. Local government savings for water-related projects, likely averaging a couple hundred million dollars annually over the next few decades.
TED GAINES Party Preference: Republican Independent Insurance Agent	FOR ASSOCIATE JUSTICE COURT OF APPEAL, 6th DISTRICT	YES NO
Member, State Board of Equalization 2nd District <i>Vote for One</i> FIONA MA Party Preference: Democratic CPA/Taxpayer Representative	Shall Associate Justice EUGENE MILTON PREMO YES be elected to the office for the term provided by law? NO	
JAMES E. THEIS Party Preference: Republican Organic Foods Manager	FOR ASSOCIATE JUSTICE COURT OF APPEAL, 6th DISTRICT	
	Shall Associate Justice ADRIENNE M. GROVER YES be elected to the office for the term provided by law? NO	



Sample Ballot / Muestra de Balota

Measures Submitted to the Voters

STATE

2 STATE BUDGET. BUDGET STABILIZATION ACCOUNT. LEGISLATIVE CONSTITUTIONAL AMENDMENT.

Requires annual transfer of state general fund revenues to budget stabilization account. Requires half the revenues be used to repay state debts. Limits use of remaining funds to emergencies or budget deficits. Fiscal Impact: Long-term state savings from faster payment of existing debts. Different levels of state budget reserves, depending on economy and decisions by elected officials. Smaller local reserves for some school districts.

YES ←

NO ←

45 HEALTHCARE INSURANCE. RATE CHANGES. INITIATIVE STATUTE.

Requires Insurance Commissioner's approval before health insurer can change its rates or anything else affecting the charges associated with health insurance. Provides for public notice, disclosure, and hearing, and subsequent judicial review. Exempts employer large group health plans. Fiscal Impact: Increased state administrative costs to regulate health insurance, likely not exceeding the low millions of dollars annually in most years, funded from fees paid by health insurance companies.

YES ←

NO ←

46 DRUG AND ALCOHOL TESTING OF DOCTORS. MEDICAL NEGLIGENCE LAWSUITS. INITIATIVE STATUTE.

Requires drug testing of doctors. Requires review of statewide prescription database before prescribing controlled substances. Increases \$250,000 pain/suffering cap in medical negligence lawsuits for inflation. Fiscal Impact: State and local government costs from raising the cap on medical malpractice damages ranging from tens of millions to several hundred million dollars annually, offset to some extent by savings from requirements on health care providers.

YES ←

NO ←

47 CRIMINAL SENTENCES. MISDEMEANOR PENALTIES. INITIATIVE STATUTE.

Requires misdemeanor sentence instead of felony for certain drug and property offenses. Inapplicable to persons with prior conviction for serious or violent crime and registered sex offenders. Fiscal Impact: State and county criminal justice savings potentially in the high hundreds of millions of dollars annually. State savings spent on school truancy and dropout prevention, mental health and substance abuse treatment, and victim services.

YES ←

NO ←

Measures Submitted to the Voters

STATE

48 INDIAN GAMING COMPACTS. REFERENDUM.

A "Yes" vote approves, and a "No" vote rejects, tribal gaming compacts between the state and the North Fork Rancheria of Mono Indians and the Wiyot Tribe. Fiscal Impact: One-time payments (\$16 million to \$35 million) and for 20 years annual payments (\$10 million) from Indian tribes to state and local governments to address costs related to the operation of a new casino.

YES ←

NO ←

COUNTY

K Cannabis Business Tax. To protect the quality of life in Santa Cruz County and to fund essential county

services such as police, fire, emergency response, health services, youth and senior programs, job creation, housing, environmental protection, and animal shelter programs; shall an ordinance be adopted to impose a tax of no more than 10% (7% when enacted) on gross receipts of cannabis (medical marijuana) businesses in the unincorporated county, subject to audits, with all funds staying local?

YES ←

NO ←



Candidate Statements of Qualification

U.S. Representative - 18th District

Candidates have the option to prepare and pay for a statement to be printed in this pamphlet. Statements are printed in the random alpha order conducted by the Secretary of State. Please refer to the Sample Ballot pages of this pamphlet for a complete list of candidates.

ANNA G. ESHOO

Candidate for U.S. Representative – 18th District
Party Preference: Democratic

Occupation: Member of Congress

Creating opportunity. Solving problems. Righting what's wrong.
These words describe my work in Congress.

Our country is built on the promise that those who work hard and abide by the rules can prosper. Raising the minimum wage, ensuring equal pay for equal work and providing access to affordable health care strengthen that promise of opportunity and support individual advancement.

Keeping the internet free, open and accessible is a vital tool for democracy and industry. Advancing technology in the classroom, workplace and for our national security remains a top priority. I write bipartisan legislation that enables American companies to explore new frontiers, invent, compete and add jobs.

Working to preserve the local environment and investing in medical research are important aspects of my work, as are efforts to support strong families. What's required on the job today makes family life a challenge. Investing in early childhood education and adopting paid family sick leave would be important steps forward. And a fairer, leaner tax code would benefit all families.

My parents taught me: if you see something wrong, try to make it right.

I don't believe that money equals speech. I oppose the Supreme Court's Citizens United decision and have supported legal challenges to it. I've urged the president to issue an executive order requiring U.S. contractors to disclose corporate and executive political contributions. Righting this wrong will take time, but our democracy is worth it.

I would be honored to have your support to continue this work.

ANNA G. ESHOO

Candidata para Representante de EE.UU. – Distrito 18°
Preferencia de Partido: Demócrata

Ocupación: Miembro del Congreso

Crear oportunidad. Resolver problemas. Corregir lo que esté mal.
Estas palabras describen mi trabajo en el Congreso.

Nuestro país está construido sobre la promesa que aquellos que trabajen duro y cumplan las reglas pueden prosperar. Aumentar el salario mínimo, asegurar la misma paga por el mismo trabajo y proveer acceso para un cuidado de la salud asequible fortalecen la promesa de oportunidad y apoyan el avance individual.

Mantener el internet libre, abierto y accesible es una herramienta vital para la democracia y la industria. Mejorar la tecnología en el aula, el lugar de trabajo y para nuestra seguridad nacional es una prioridad máxima. Escribo una legislación bipartidista que le permite a las compañías Estadounidenses explorar nuevas fronteras, inventar, competir y sumar trabajos.

Trabajar para conservar el medio ambiente local e invertir en investigación médica son aspectos importantes de mi trabajo, así como son esfuerzos para respaldar familias fuertes. Lo que se requiere en el trabajo hoy en día hace de la vida familiar un reto. Invertir en educación en la niñez temprana y adoptar la licencia por enfermedad de familia serían importantes avances. Y un código de impuestos más justo y ágil beneficiaría a todas las familias.

Mis padres me enseñaron: si ves algo que está mal trata de corregirlo. No creo que el dinero sea igual al discurso. Me opongo a la decisión de Ciudadanos Unidos de la Corte Suprema y he apoyado desafíos legales en contra de ella. Le insté al presidente de emitir una orden ejecutiva que requiera que los contratistas de EE.UU. divulguen las contribuciones políticas corporativas y ejecutivas. Corregir lo que está mal tomará tiempo, pero vale la pena por nuestra democracia.

Me honraría tener su apoyo para continuar este trabajo.

RICHARD B. FOX

Candidate for U.S. Representative – 18th District
Party Preference: Republican

Occupation: Physician, Attorney

Age: 68

Smaller government promotes more and better jobs, better and more affordable healthcare, school choice, and personal privacy.

Cut Government To Grow Jobs

The Democrats' big spending "stimulus" programs have failed to end the recession and revive the economy. We have millions on unemployment and food stamps and trillions in debt left to the young, stuck living with parents, unable to start their own families. Get rid of wasteful Democrat spending programs to end poverty and restore prosperity the right way, with productive, dignified, private sector jobs.

Free Market Healthcare, Not Expensive Mandates

Replace wasteful mandated government health plans with truly affordable free market health plans that fit families' needs and budgets.

School Choice, No SCA5

Children should have tax credits to attend the quality schools that their parents choose for them, whether public, charter, home, or online. Then, there will be no need for educational discrimination under SCA5.

Privacy

Keep the government out of our cell phones, emails, text messages, and personal decisions, such as our reproductive choices and gender identities.

Restore Fading Dreams

Save our hopes and dreams for our families by cutting government and unleashing the power of free markets to open up opportunity and prosperity for all. A strong economy supports good schools, safe streets, and gives families a future. Vote for Dr. Fox, a trusted children's doctor, always thinking about our kids and what kind of world they will grow up in. We can and must give them a better one.

Visit us at: www.drfox4congress.com.

Candidate Statements of Qualification

State Assembly - 29th District

Candidates have the option to prepare and pay for a statement to be printed in this pamphlet. Statements are printed in the random alpha order conducted by the Secretary of State. Please refer to the Sample Ballot pages of this pamphlet for a complete list of candidates.

MARK STONE

Candidate for State Assembly – 29th District
Party Preference: Democratic

Occupation: Assemblymember

Age: 57

For over fifteen years, I served as a school board member, county supervisor, coastal commissioner and now as your Assemblymember. You sent me to Sacramento to work for you on issues for our children, health, environment and public safety, and to ensure a strong fiscal future.

As chair of the Assembly Human Services Committee, I have sought new protections for our foster youth, better conditions for the disabled and safe, dignified living for our seniors.

As chair of the Assembly Select Committee on Coastal Protection, I held oversight hearings on plastic ocean pollution, offshore oil spills and other threats to our amazing coastline.

I have been a leader on reforming our prison system to ensure safe neighborhoods, while we reinvest in programs that will reduce recidivism, contain skyrocketing costs and provide for humane conditions.

I have been that strong voice for the Central Coast and our water needs, ensuring that your voices were heard. Our needs are now a part of the water bond package. In this session, we also delivered on the promise of healthcare for Californians, new investments in schools and enacted a fiscally responsible budget—all ensuring a brighter future for California.

It is an honor to have the support of so many elected officials, respected business, education, and health care professionals and scores of dedicated environmentalists. I hope that I have earned your vote.

I look forward to continuing to represent you in the State Assembly.

Learn more at www.FriendsOfMarkStone.org

MARK STONE

Candidato para la Asamblea Estatal – Distrito 29°
Preferencia de Partido: Demócrata

Ocupación: Miembro de la Asamblea

Edad: 57

Por más de quince años, serví como miembro de la junta escolar, supervisor del condado, comisionado costero y ahora como su Miembro de la Asamblea. Usted me mandó a Sacramento para trabajar para usted en los asuntos para nuestros hijos, la salud, el medio ambiente y la seguridad pública y para asegurar un futuro fiscal fuerte.

Como presidente de la Asamblea del Comité de Servicios Humanos, he buscado nuevas protecciones para nuestros jóvenes de acogida, mejores condiciones para los discapacitados y viviendas seguras y dignas para nuestras personas mayores.

Como presidente del Comité Selecto de la Asamblea por la Protección Costera, sostuve audiencias de control sobre la contaminación con plástico en el océano, derrames de petróleo en alta mar y otras amenazas para nuestra magnífica costa.

He sido un líder en la reforma de nuestro sistema de prisión para asegurar vecindarios seguros, mientras volvemos a invertir en programas que reducen la reincidencia, contienen los costos exorbitantes y proveen condiciones humanas.

He sido esa fuerte voz por la Costa Central y por nuestras necesidades de agua, asegurando que sus voces fueran escuchadas. Nuestras necesidades ahora son parte del paquete de bonos de agua. En esta sesión, también cumplimos la promesa del cuidado de la salud para los Californianos, nuevas inversiones en las escuelas y promulgar un presupuesto fiscalmente responsable—todo para asegurar un futuro más brillante para California.

Es un honor el tener el apoyo de tantos funcionarios electos, comercios respetados, profesionales de la educación y de la salud y el apoyo de dedicados ambientalistas. Espero haberme ganado su voto.

Espero continuar representándolo en la Asamblea Estatal.

Aprenda más en www.FriendsOfMarkStone.org

PALMER KAIN

Candidate for State Assembly – 29th District
Party Preference: Republican

I am Palmer Kain. A 35-year-old Santa Cruz native with one goal in mind, turning our communities needs into passable state legislation. My domestic and international political, and conflict resolution experience, allow me to offer you a unique choice this November. Bringing team building skills, international conflict resolution, and a history in local policy making to Sacramento. Focusing strongly on the real needs of our district. Among all the issues our district faces, there is one that is foundational for us to target. The issue is education. California's per pupil spending is almost the lowest in our nation. Our K-12 and UC/CSU system is not serving the future of California as the statistics show. California's future is our children. Lets not keep failing to provide them with an adequate future. What my life experiences and this great community have taught me is never give up, all issues do have solutions. The new solutions must be based on the peoples needs. I am a pragmatic, overseas veteran, who is conflict resolution trained to seek bipartisan solutions. If you want a hardworking voice in Sacramento then vote for Palmer Kain in November.

VOTER'S PAMPHLET
MEASURES, ANALYSES AND ARGUMENTS

(whichever is applicable to your ballot)
Arguments in support of, or in opposition to, the proposed laws are the opinions of the authors.

COUNTY OF SANTA CRUZ

K Cannabis Business Tax. To protect the quality of life in Santa Cruz County and to fund essential county services such as police, fire, emergency response, health services, youth and senior programs, job creation, housing, environmental protection, and animal shelter programs; shall an ordinance be adopted to impose a tax of no more than 10% (7% when enacted) on gross receipts of cannabis (medical marijuana) businesses in the unincorporated county, subject to audits, with all funds staying local?

FULL TEXT OF BALLOT MEASURE K

CANNABIS BUSINESS TAX

BE IT ORDAINED BY THE PEOPLE OF THE COUNTY OF SANTA CRUZ:

Title 4 of the Santa Cruz County Code is hereby amended to add a new Chapter to be numbered, entitled and to read as follows:

Chapter 4.06
CANNABIS BUSINESS TAX

Sections:

- 4.06.010 Purpose of chapter.
- 4.06.020 Tax imposed.
- 4.06.030 Definitions.
- 4.06.040 Other licenses, permits, taxes, fees or charges.
- 4.06.050 Payment of tax does not authorize unlawful business.
- 4.06.060 Payment - Location.
- 4.06.070 Amount of business tax owed.
- 4.06.080 Payment - Time limits.
- 4.06.090 Payments and communications made by mail - Proof of timely submittal.
- 4.06.100 Payment - When taxes deemed delinquent.
- 4.06.110 Notice not required by county.
- 4.06.120 Payment - Penalty for delinquency.
- 4.06.130 Waiver of penalties.
- 4.06.140 Refunds - Credits.
- 4.06.150 Refunds and procedures.
- 4.06.160 Exemptions - Application - Issuance conditions.
- 4.06.170 Exemptions - General.
- 4.06.180 Exemptions - Occasional transactions.
- 4.06.190 Enforcement - Duties of tax administrator and sheriff.
- 4.06.200 Rules and regulations.
- 4.06.210 Apportionment.
- 4.06.220 Audit and examination of records and equipment.
- 4.06.230 Tax deemed debt to county.
- 4.06.240 Deficiency determinations.
- 4.06.250 Tax assessment - Authorized when - Nonpayment - Fraud.
- 4.06.260 Tax assessment - Notice requirements.
- 4.06.270 Tax assessment - Hearing - Application and determination.
- 4.06.280 Conviction for chapter violation - Taxes not waived.
- 4.06.290 Violation deemed misdemeanor - Penalty.
- 4.06.300 Severability.
- 4.06.310 Effect of state and federal reference/authorization.
- 4.06.320 Remedies cumulative.
- 4.06.330 Amendment or repeal.

4.06.010 Purpose of chapter.

This chapter shall be known as the "cannabis business tax" and is enacted solely to raise revenue for the general governmental purposes of the County and not for purposes of regulation or of raising revenues for regulatory purposes. All of the proceeds from the tax imposed by this chapter shall be placed in the County's general fund and used for the usual current expenses of the County.

4.06.020 Tax imposed.

There is established and imposed, a business tax at the rate set forth in this chapter.

4.06.030 Definitions.

The definitions set forth in this part shall govern the application and interpretation of this chapter.

(A) "Business" shall include all activities engaged in or caused to be engaged in within the unincorporated area of the County, including any commercial or industrial enterprise, trade, profession, occupation, vocation, calling, or livelihood, whether or not carried on for gain or profit, but shall not include the services rendered by an employee to his or her employer.

(C) "Employee" means each and every person engaged in the operation or conduct of any business, whether as owner, member of the owner's family, partner, associate, agent, manager or solicitor, and each and every other person employed or working in such business for a wage, salary, commission or room and board.

(D) "Engaged in business" means the commencing, conducting, operating, managing or carrying on of a Cannabis business and the exercise of corporate or franchise powers, whether done as owner, or by means of an officer, agent, manager, employee, or otherwise, whether operating from a fixed location in the unincorporated area of the county or coming into the unincorporated area of the county from an outside location to engage in such activities. A person shall be deemed engaged in business within the unincorporated area of the county area of the county if:

- (1) Such person or person's employee maintains a fixed place of business within the unincorporated area of the county for the benefit or partial benefit of such person;
- (2) Such person or person's employee owns or leases real property within the unincorporated area of the county for business purposes;
- (3) Such person or person's employee regularly maintains a stock of tangible personal property in the unincorporated area of the county for sale in the ordinary course of business;
- (4) Such person or person's employee regularly conducts solicitation of business within the unincorporated area of the county;
- (5) Such person or person's employee performs work or renders services in the unincorporated area of the county on a regular and continuous basis involving more than five working days per year;
- (6) Such person or person's employee utilizes the streets within the unincorporated area of the county in connection with the operation of motor vehicles for business purposes.

The foregoing specified activities shall not be a limitation on the meaning of "engaged in business."

(E) "Evidence of doing business" means whenever any person shall, by use of signs, circulars, cards or any other advertising media, including the use of internet or telephone solicitation, represent that such person is engaged in Cannabis business in the unincorporated, area then these facts may be used as evidence that such person is engaged in business in the unincorporated area.

(F) "Gross receipts," except as otherwise specifically provided, means the total amount actually received or receivable from all sales; the total amount or compensation actually received or receivable for the performance of any act or service, of whatever nature it may be, for which a charge is made or credit allowed, whether or not such act or service is done as a part of or in connection with the sale of materials, goods, wares or merchandise; discounts, rents, royalties, fees, commissions, dividends, and gains realized from trading in stocks or bonds, however designated. Included in "gross receipts" shall be all receipts, cash, credits and property of any kind or nature, without any deduction there from on account of the cost of the property sold, the cost of materials used, labor or service costs,

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interest paid or payable, or losses or other expenses whatsoever, except that the following shall be excluded there from:

- (1) Cash discounts allowed and taken on sales;
 - (2) Credit allowed on property accepted as part of the purchase price and which property may later be sold, at which time the sales price shall be included as gross receipts;
 - (3) Any tax required by law to be included in or added to the purchase price and collected from the consumer or purchaser;
 - (4) Such part of the sale price of any property returned by purchasers to the seller as refunded by the seller by way of cash or credit allowances or return of refundable deposits previously included in gross receipts;
 - (5) Receipts from investments where the holder of the investment receives only interest and/or dividends, royalties, annuities and gains from the sale or exchange of stock or securities solely for a person's own account, not derived in the ordinary course of a business;
 - (6) Receipts derived from the occasional sale of used, obsolete or surplus trade fixtures, machinery or other equipment used by the taxpayer in the regular course of the taxpayer's business;
 - (7) Cash value of sales, trades or transactions between departments or units of the same business;
 - (8) Whenever there are included within the gross receipts amounts which reflect sales for which credit is extended and such amount proved uncollectible in a subsequent year, those amounts may be excluded from the gross receipts in the year they prove to be uncollectible; provided, however, if the whole or portion of such amounts excluded as uncollectible are subsequently collected, they shall be included in the amount of gross receipts for the period when they are recovered;
 - (9) Transactions between a partnership and its partners;
 - (10) Receipts from services or sales in transactions between affiliated corporations. An affiliated corporation is a corporation:
 - (a) The voting and non-voting stock of which is owned at least eighty percent by such other corporation with which such transaction is had; or
 - (b) Which owns at least eighty percent of the voting and non-voting stock of such other corporation; or
 - (c) At least eighty percent of the voting and non-voting stock of which is owned by a common parent corporation which also has such ownership of the corporation with which such transaction is had;
 - (11) Transactions between a limited liability company and its member(s), provided the limited liability company has elected to file as a Subchapter K entity under the Internal Revenue Code and that such transaction(s) shall be treated the same as between a partnership and its partner(s) as specified in Subsection (9) above;
 - (12) Receipts of refundable deposits, except that such deposits when forfeited and taken into income of the business shall not be excluded when in excess of one dollar;
 - (13) Amounts collected for others where the business is acting as an agent or trustee and to the extent that such amounts are paid to those for whom collected. These agents or trustees must provide the finance department with the names and the addresses of the others and the amounts paid to them. This exclusion shall not apply to any fees, percentages, or other payments retained by the agent or trustees.
- "Gross receipts" subject to the business tax shall be that portion of gross receipts relating to business conducted within the unincorporated area of the county.
- (G) "Cannabis" means all parts of the plant *Cannabis sativa* L., whether growing or not; the seeds thereof; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds or resin.

(H) "Cannabis business" or "medical marijuana business" means business activity as defined by subsection (G) of section 7.124.020 of this Code, including but not limited to, transporting, manufacturing, compounding, converting, processing, preparing, storing, packaging, wholesale, and/or retail sales of Cannabis and any ancillary products in the unincorporated area of the county, whether or not carried on for gain or profit.

(I) "Cannabis business tax", "Business tax" or "Cannabis tax" means the tax due for engaging in Cannabis business in the unincorporated area of Santa Cruz County.

(J) "Person" means, without limitation, any natural individual, organization, firm, trust, common law trust, estate, partnership of any kind, association, syndicate, club, joint stock company, joint venture, limited liability company, corporation (including foreign, domestic, and nonprofit), cooperative, receiver, trustee, guardian, or other representative appointed by order of any court.

(K) "Sale" means and includes any sale, exchange, or barter.

(L) "Tax Administrator" or "administrator" means the Auditor-Controller-Treasurer-Tax Collector or such other administrator designated by the County Administrative Officer to administer this chapter

4.06.040 Other licenses, permits, taxes, fees or charges.

Nothing contained in this Chapter 4.06 shall be deemed to repeal, amend, be in lieu of, replace or in any way affect any requirements for any license or permit required by, under or by virtue of any provision of any other title or chapter of this code or any other ordinance or resolution of the county, nor be deemed to repeal, amend, be in lieu of, replace or in any way affect any tax, fee or other charge imposed, assessed or required by, under or by virtue of any other title or chapter of this code or any other ordinance or resolution of the county. Any references made or contained in any other title or chapter of this code to any licenses, license taxes, fees or charges, or to any schedule of license fees, shall be deemed to refer to the licenses, license taxes, fees or charges, or schedule of license fees, provided for in other titles or chapters of this code.

4.06.050 Payment of tax does not authorize unlawful business.

(A) The payment of a business tax required by this chapter, and its acceptance by the county, shall not entitle any person to carry on any Cannabis business unless the person has complied with all of the requirements of this code and all other applicable laws, nor to carry on any Cannabis business in any building or on any premises in the event that such building or premises are situated in a zone or locality in which the conduct of such Cannabis business is in violation of any law.

(B) No tax paid under the provisions of this chapter shall be construed as authorizing the conduct or continuance of any illegal or unlawful business, or any business in violation of any ordinance of the county.

4.06.060 Payment - Location.

The tax imposed under this chapter shall be paid to the administrator in lawful money of the United States, at the Offices of the County Auditor-Controller-Treasurer-Tax Collector in Santa Cruz, California. Lawful money shall mean any coin, currency or negotiable instrument, exchangeable for said coin or currency, which the United States Congress has declared to be a national legal tender.

4.06.070 Amount of business tax owed.

(A) Every person engaged in Cannabis business in the unincorporated area of the county shall pay a business tax at a rate of up to ten percent of gross receipts. The tax under this chapter shall not be imposed on Cannabis businesses unless and until the Board of Supervisors, by ordinance, takes action to set a tax rate not to exceed ten percent of gross receipts.

(B) Notwithstanding the maximum tax rate of ten percent of gross receipts imposed under Subsection A., the Board of Supervisors may, in its discretion, at any time by ordinance, implement a lower tax rate for all Cannabis businesses or establish differing tax rates for different categories of Cannabis businesses, as defined in such ordinance, subject to the maximum rate of ten percent of gross receipts. The Board of Supervisors may, by ordinance, also increase any such tax rate from time to time, not to exceed the maximum tax rate of ten percent of gross receipts established under Subsection (A).

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(C) Pursuant to Subsection (A), the Cannabis business tax is set at seven percent of gross receipts. Commencing on the operative date of this chapter, every person engaged in Cannabis business in the unincorporated area of the county shall pay a Cannabis business tax at the rate of seven percent of gross receipts.

4.06.080 Payment - Time limits.

The business tax imposed by this chapter shall be due and payable as follows:

(A) Each person owing a tax under this chapter shall, on or before the last day of each calendar month, prepare a tax statement to the administrator of the total gross receipts and the amount of tax owed for the preceding calendar month. At the time the tax statement is filed, the full amount of the tax owed for the preceding calendar month shall be remitted to the administrator.

(B) All tax statement shall be completed on forms provided by the administrator.

(C) Tax statements and payments for all outstanding taxes owed the county are immediately due to the administrator upon cessation of business for any reason.

4.06.090 Payments and communications made by mail - Proof of timely submittal.

Whenever any payment, statement, report, request or other communication received by the administrator is received after the time prescribed by this chapter for the receipt thereof, but is in an envelope bearing a postmark showing that it was mailed on or prior to the date prescribed in this chapter for the receipt thereof, or whenever the administrator is furnished substantial proof that the payment, statement, report, request or other communication was in fact deposited in the United States mail on or prior to the date prescribed for receipt thereof, the administrator may regard such payment, statement, report, request or other communication as having been timely received. If the due day falls on Saturday, Sunday or a holiday, the due day shall be the next regular business day on which the County Building at 701 Ocean Street, Santa Cruz is open to the public.

4.06.100 Payment - When taxes deemed delinquent.

Unless otherwise specifically provided under other provisions of this chapter, the taxes required to be paid pursuant to this chapter shall be deemed delinquent if not paid on or before the due date specified in Section 4.06.080.

4.06.110 Notice not required by county.

The administrator is not required to send a delinquency or other notice or bill to any person subject to the provisions of this chapter and failure to send such notice or bill shall not affect the validity of any tax or penalty due under the provisions of this chapter.

4.06.120 Payment - Penalty for delinquency.

(A) Any person who fails or refuses to pay any business tax required to be paid pursuant to this chapter on or before the due date shall pay penalties and interest as follows:

(1) A penalty equal to twenty-five percent of the amount of the tax in addition to the amount of the tax, plus interest on the unpaid tax calculated from the due date of the tax at a rate established by resolution of the Board of Supervisors; and

(2) An additional penalty equal to twenty-five percent of the amount of the tax if the tax remains unpaid for a period exceeding one calendar month beyond the due date, plus interest on the unpaid tax and on the unpaid penalties, calculated at the rate established by resolution of the Board of Supervisors.

(3) Interest shall be applied at the monthly rate on the first day of the month for the full month, and will continue to accrue monthly on the tax and penalty until the balance is paid in full.

(4) Only payments for the full amount due shall be accepted. Partial payments shall not be accepted.

(B) Whenever a check is submitted in payment of a business tax and the check is subsequently returned unpaid by the bank upon which the check is drawn, and the check is not redeemed prior to the due date, the taxpayer will be liable for the tax amount due plus the return check fee; penalties and interest as provided for in this section; and any amount allowed under state law.

(C) The business tax due shall be that amount due and payable from the first date on which the person was engaged in Cannabis business in the unincorporated area of the county, together with applicable penalties and interest calculated in accordance with Subsection(A) above.

4.06.130 Waiver of penalties.

The administrator may waive the first and second penalties of twenty-five percent each imposed upon any person if:

(A) The person provides evidence satisfactory to the administrator that failure to pay timely was due to circumstances beyond the control of the person and occurred notwithstanding the exercise of ordinary care and the absence of willful neglect, and the person paid the delinquent business tax and accrued interest owed the county prior to applying to the administrator for a waiver.

(B) The waiver provisions specified in this subsection shall not apply to interest accrued on the delinquent tax and a waiver shall be granted only once during any twenty-four month period.

4.06.140 Refunds - Credits.

(A) No refund shall be made of any tax collected pursuant to this chapter, except as provided in Section 4.06.150.

(B) No refund of any tax collected pursuant to this chapter shall be made because of the discontinuation, dissolution or other termination of a business.

(C) Any person entitled to a refund of taxes paid pursuant to this chapter may elect in writing to have such refund applied as a credit against such person's business taxes for the next calendar month.

4.06.150 Refunds and procedures.

(A) Whenever the amount of any business tax, penalty or interest has been overpaid, paid more than once, or has been erroneously or illegally collected or received by the county under this chapter, it may be refunded to the claimant who paid the tax provided that a written claim for refund is filed with the administrator within three years of the date the tax was originally due and payable, and the provisions of Chapter 1.05 are satisfied.

(B) The administrator or the administrator's authorized agent shall have the right to examine and audit all the books and business records of the claimant in order to determine the eligibility of the claimant to the claimed refund. No claim for refund shall be allowed if the claimant refuses to allow such examination of claimant's books and business records after request by the administrator to do so.

(C) In the event that the business tax was erroneously paid and the error is attributable to the county, the entire amount of the tax erroneously paid shall be refunded to the claimant. If the error is attributable to the claimant, the county shall retain the amount set forth in the schedule of fees and charges established by resolution of the Board of Supervisors from the amount to be refunded to cover expenses.

4.06.160 Exemptions - Application - Issuance conditions.

Any person desiring to claim exemption from the payment of the tax set forth in this chapter shall make application upon forms prescribed by the administrator and shall furnish such information and make such affidavits as may be required by the administrator.

4.06.170 Exemptions - General.

Except as may be otherwise specifically provided in this chapter, the terms hereof shall not be deemed or construed to apply to any person when imposition of the tax upon that person would violate the Constitution of the United States or that of the State of California or preemptive federal or state law.

4.06.180 Exemptions - Occasional transactions.

(A) The provisions of this chapter shall not apply to persons having no fixed place of business within the unincorporated area of the county who come into the unincorporated area for the purpose of transacting a specific item of business at the request of a specific patient, client or customer, provided that such person does not come into the unincorporated area for the purpose of transacting business on more than five days during any calendar year.

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(B) For any person not having a fixed place of business within the unincorporated area of the county who comes into the county for the purpose of transacting business and who is not exempt as provided in Subsection (A) of this section, the business tax payable by such person may be apportioned by the administrator in accordance with Section 4.06.210.

4.06.190 Enforcement - Duties of tax administrator and sheriff.

It shall be the duty of the administrator to enforce each and all of the provisions of this chapter, and the sheriff shall render such assistance in the enforcement of this chapter as may from time to time be required by the administrator.

4.06.200 Rules and regulations.

For purposes of apportionment as may be required by law and for purposes of administration and enforcement of this chapter generally, the administrator, with the concurrence of the county counsel, may from time to time promulgate administrative rules and regulations.

4.06.210 Apportionment.

(A) None of the tax provided for by this chapter shall be applied so as to occasion an undue burden upon interstate commerce or be violative of the equal protection and due process clauses of the Constitutions of the United States or the State of California.

(B) If any case where a business tax is believed by a taxpayer to place an undue burden upon interstate commerce or be violative of such constitutional clauses, the taxpayer may apply to the administrator for an adjustment of the tax. It shall be the taxpayer's obligation to request in writing for an adjustment within one year after the date of payment of the tax. If the taxpayer does not request in writing within one year from the date of payment, then taxpayer shall be conclusively deemed to have waived any adjustment for that year and all prior years.

(C) The taxpayer shall, by sworn statement and supporting testimony, show the method of business and the gross volume of business and such other information as the administrator may deem necessary in order to determine the extent, if any, of such undue burden or violation. The administrator shall then conduct an investigation, and shall fix as the tax for the taxpayer an amount that is reasonable and nondiscriminatory, or if the tax has already been paid, shall order a refund of the amount over and above the tax so fixed. In fixing the tax to be charged, the administrator shall have the power to base the tax upon a percentage of gross receipts or any other measure which will assure that the tax assessed shall be uniform with that assessed on businesses of like nature, so long as the amount assessed does not exceed the tax as prescribed by this chapter.

(D) Should the administrator determine that the gross receipt measure of tax to be the proper basis, the administrator may require the taxpayer to submit a sworn statement of the gross receipts and pay the amount of tax as determined by the administrator.

4.06.220 Audit and examination of records and equipment.

(A) The administrator shall have the power to audit and examine all books and records of persons engaged in Cannabis business including both state and federal income tax returns, California sales tax returns, or other evidence documenting the gross receipts of persons engaged in Cannabis business, and, where necessary, all equipment, of any person engaged in Cannabis business in the county, for the purpose of ascertaining the amount of business tax, if any, required to be paid by the provisions hereof, and for the purpose of verifying any statements or any item thereof when filed by any person pursuant to the provisions of this chapter. If such person, after written demand by the administrator, refuses to make available for audit, examination or verification such books, records or equipment as the administrator requests, the administrator may, after full consideration of all information within his or her knowledge concerning the Cannabis business and activities of the person so refusing, make an assessment in the manner provided in Sections 4.06.250 through 4.06.270 of any taxes estimated to be due.

(B) It shall be the duty of every person liable for the collection and payment to the County of any tax imposed by this chapter to keep and preserve, for a period of at least three years, all records as may be necessary to determine the amount of such tax as he or she may have been liable for the collection of and payment to the

County, which records the administrator shall have the right to inspect at all reasonable times.

4.06.230 Tax deemed debt to county.

The amount of any tax, penalties and interest imposed by the provisions of this chapter shall be deemed a debt to the county and any person carrying on any Cannabis business without first having paid such tax shall be liable in an action in the name of the county in any court of competent jurisdiction for the amount of the tax, and penalties and interest imposed on such business.

4.06.240 Deficiency determinations.

If the administrator is not satisfied that any statement filed as required under the provisions of this chapter is correct, or that the amount of tax is correctly computed, he or she may compute and determine the amount to be paid and make a deficiency determination upon the basis of the facts contained in the statement or upon the basis of any information in his or her possession or that may come into his or her possession within three years of the date the tax was originally due and payable. One or more deficiency determinations of the amount of tax due for a period or periods may be made. When a person discontinues engaging in a business, a deficiency determination may be made at any time within three years thereafter as to any liability arising from engaging in such business whether or not a deficiency determination is issued prior to the date the tax would otherwise be due. Whenever a deficiency determination is made, a notice shall be given to the person concerned in the same manner as notices of assessment are given under Sections 4.06.250 through 4.06.270.

4.06.250 Tax assessment - Authorized when - Nonpayment - Fraud.

(A) Under any of the following circumstances, the administrator may make and give notice of an assessment of the amount of tax owed by a person under this chapter at any time:

- (1) If the person has not filed any statement required under the provisions of this chapter;
- (2) If the person has not paid any tax due under the provisions of this chapter;
- (3) If the person has not, after demand by the administrator, filed a corrected statement, or furnished to the administrator adequate substantiation of the information contained in a statement already filed, or paid any additional amount of tax due under the provisions of this chapter;
- (4) If the administrator determines that the nonpayment of any business tax due under this chapter is due to fraud, a penalty of twenty-five percent of the amount of the tax shall be added thereto in addition to penalties and interest otherwise stated in this chapter.

(B) The notice of assessment shall separately set forth the amount of any tax known by the administrator to be due or estimated by the administrator, after consideration of all information within the administrator's knowledge concerning the business and activities of the person assessed, to be due under each applicable section of this chapter, and shall include the amount of any penalties or interest accrued on each amount to the date of the notice of assessment.

4.06.260 Tax assessment - Notice requirements.

The notice of assessment shall be served upon the person either by handing it to him or her personally, or by a deposit of the notice in the United States mail, postage prepaid thereon, addressed to the person at the address of the location of the business or to such other address as he or she shall register with the administrator for the purpose of receiving notices provided under this chapter; or, should the person have no address registered with the administrator for such purpose, then to such person's last known address. For the purposes of this section, a service by mail is complete at the time of deposit in the United States mail.

4.06.270 Tax assessment - Hearing - Application and determination.

Within ten days after the date of service the person may apply in writing to the administrator for a hearing on the assessment. If application for a hearing before the county is not made within the time herein prescribed, the tax assessed by the administrator shall become final and conclusive. Within thirty days of the receipt of any such application for hearing, the administrator shall cause the matter to be set

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for hearing before him or her not later than thirty-five days after the receipt of the application, unless a later date is agreed to by the administrator and the person requesting the hearing. Notice of such hearing shall be given by the administrator to the person requesting such hearing not later than five days prior to such hearing. At such hearing said applicant may appear and offer evidence why the assessment as made by the administrator should not be confirmed and fixed as the tax due. After such hearing the administrator shall determine and reassess the proper tax to be charged and shall give written notice to the person in the manner prescribed in Section 4.06.260 for giving notice of assessment.

4.06.280 Conviction for chapter violation - Taxes not waived.

The conviction and punishment of any person for failure to pay the required tax shall not excuse or exempt such person from any civil action for the tax debt unpaid at the time of such conviction. No civil action shall prevent a criminal prosecution for any violation of the provisions of this chapter or of any state law requiring the payment of all taxes.

4.06.290 Violation deemed misdemeanor - Penalty.

Any person violating any of the provisions of this chapter or any regulation or rule passed in accordance herewith, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punishable by a fine of not more than five hundred dollars or by imprisonment for a period of not more than six months, or by both such fine and imprisonment.

4.06.300 Severability.

Should any provision of this chapter, or its application to any person or circumstance, be determined by a court of competent jurisdiction to be unlawful, unenforceable or otherwise void, that determination shall have no effect on any other provision of this chapter or the application of this chapter to any other person or circumstance and, to that end, the provisions hereof are severable.

4.06.310 Effect of state and federal reference/ authorization.

(A) Unless specifically provided otherwise, any reference to a state or federal statute in this chapter shall mean such statute as it may be amended from time to time, provided that such reference to a statute herein shall not include any amendment thereto, or to any change of interpretation thereto by a state or federal agency or court of law with the duty to interpret such law, to the extent that such amendment or change of interpretation would, under California law, require voter approval of such amendment or interpretation, or to the extent that such change would result in a tax decrease. To the extent voter approval would otherwise be required or a tax decrease would result, the prior version of the statute (or interpretation) shall remain applicable; for any application or situation that would not require voter approval or result in a decrease of a tax, provisions of the amended statute (or new interpretation) shall be applicable to the maximum possible extent.

(B) To the extent that the county's authorization to collect or impose any tax imposed under this chapter is expanded as a result of changes in state or federal law, no amendment or modification of this chapter shall be required to conform the tax to those changes, and the tax shall be imposed and collected to the full extent of the authorization up to the full amount of the tax imposed under this chapter.

4.06.320 Remedies cumulative.

All remedies and penalties prescribed by this chapter or which are available under any other provision of law or equity, including but not limited to the California False Claims Act (Government Code Section 12650 et seq.) and the California Unfair Practices Act (Business and Professions Code Section 17070 et seq.), are cumulative. The use of one or more remedies by the county shall not bar the use of any other remedy for the purpose of enforcing the provisions of this chapter.

4.06.330 Amendment or repeal.

Chapter 4.06 of the Santa Cruz County Code may be repealed or amended by the Board of Supervisors without a vote of the people. However, as required by Chapter XIIIC of the California Constitution, voter approval is required for any amendment provision that would increase the rate of any tax levied pursuant to this chapter. The people of the County of Santa Cruz affirm that the following actions shall not constitute an increase of the rate of a tax:

(A) The restoration of the rate of the tax to a rate that is no higher than that set by this chapter, if the Board of Supervisors has acted to reduce the rate of the tax;

(B) An action that interprets or clarifies the methodology of the tax, or any definition applicable to the tax, so long as interpretation or clarification (even if contrary to some prior interpretation or clarification) is not inconsistent with the language of this chapter;

(C) The establishment of a class of person that is exempt or excepted from the tax or the discontinuation of any such exemption or exception (other than the discontinuation of an exemption or exception specifically set forth in this chapter); or

(D) The collection of the tax imposed by this chapter, even if the county had, for some period of time, failed to collect the tax.

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IMPARTIAL ANALYSIS BY COUNTY COUNSEL
MEASURE K

If this measure is approved by a majority of those voting on it, an ordinance will be added to the Santa Cruz County Code authorizing the County of Santa Cruz ("County") to impose a tax on the gross receipts of cannabis (marijuana) businesses operating within the unincorporated area of the County. The tax and the reporting requirements imposed by the ordinance apply to the covered businesses, not to persons who purchase or acquire cannabis from those businesses.

The purpose of the tax is to raise revenue for general governmental purposes, not for regulatory purposes.

If enacted, the cannabis businesses are required to submit to the County Auditor-Controller-Treasurer-Tax Collector monthly statements of their gross receipts, and pay a resulting tax.

Definitions of "cannabis business" and "gross receipts" are set out in the ordinance, the full text of which is printed elsewhere in the ballot pamphlet.

The rate of the tax at effective date of the ordinance would be seven percent (7%) of gross receipts, and it authorizes the Board of Supervisors to set a maximum tax rate up to ten percent (10%) of gross receipts.

Payment of the cannabis business tax would not authorize the conduct of any illegal or unlawful business.

All revenues from this tax will be deposited into the County's general fund and may be used for County governmental services including but not limited to police, fire, emergency response, street maintenance and pothole repair, health services, parks, libraries, youth and senior programs, animal programs, economic development and job creation, and affordable housing.

The County Auditor-Controller-Treasurer-Tax Collector would determine whether the penalties specified by the ordinance for delinquent tax should be imposed, and whether exemptions apply or refunds are owing. Audits may be conducted to determine whether additional tax is owed. Aside from monetary penalties for failure to pay the tax on time, the ordinance declares that violation of its provisions constitutes a misdemeanor.

This tax measure is placed on the ballot by resolution of the County Board of Supervisors.

A "yes" vote is to approve imposition of the cannabis business tax.

A "no" vote is against imposition of the cannabis business tax.

DANA McRAE, COUNTY COUNSEL
By Jane M. Scott, Assistant County Counsel

FISCAL IMPACT STATEMENT BY COUNTY AUDITOR-CONTROLLER
MEASURE K

Cannabis Business Tax

Measure K would authorize the County of Santa Cruz to add Chapter 4.06 to the County Code, imposing a business tax of no more than 10% on the gross receipts of cannabis (medical marijuana) businesses in the unincorporated areas of Santa Cruz County. The rate would be set at 7% at the time of enactment. The cannabis business tax revenue would be used solely for County general governmental purposes.

Fiscal Effect

A cannabis business tax at the proposed rate of 7% of gross receipts is estimated to generate approximately \$900,000 annually. The cannabis business is required to file a statement of gross receipts, and pay the business tax on a monthly basis to the Office of the County Auditor-Controller/Treasurer-Tax Collector. A penalty plus interest will be imposed if the tax is not paid timely.

Use of the Funds

All revenues from this business tax will be deposited into the County's General Fund, and spent on essential general governmental services currently supplied by the County such as sheriff, fire, emergency response, health services, parks, youth and senior programs, animal shelter programs, economic development, affordable housing, and other essential county services.

Accountability

The Auditor-Controller/Treasurer-Tax Collector is the tax administrator, and has the authority to examine the books and records of the cannabis businesses to verify the accuracy of the statement of gross receipts that was filed and the business tax computed thereon. The Auditor-Controller/Treasurer-Tax Collector also has the authority to issue an assessment to a cannabis business for the estimated amount of tax owed if a statement is not filed and a tax is not paid by the business.

s/ MARY JO WALKER
Auditor-Controller
County of Santa Cruz

VOTER'S PAMPHLET

MEASURES, ANALYSES AND ARGUMENTS

(whichever is applicable to your ballot)

Arguments in support of, or in opposition to, the proposed laws are the opinions of the authors.

ARGUMENT IN FAVOR OF MEASURE K

VOTE YES ON MEASURE K – THE CANNABIS BUSINESS TAX

Santa Cruz County voters have overwhelmingly supported State and local laws for the compassionate and safe use of medicinal cannabis (marijuana) by physician's recommendation for over 20 years. Residents have strongly supported the need to ensure safe access to medical cannabis for people in need.

As a result, Santa Cruz County worked successfully with neighborhood groups and local industry representatives to create laws allowing cannabis to be responsibly cultivated, distributed, delivered, dispensed, sold, or given away without creating a public nuisance.

These laws respect the needs of medical patients, and their caregivers, as well as legitimate medical cannabis businesses. They also protect our neighborhoods and land from illegitimate operators who damage our forests, divert our streams, and act without respect for our community.

However, the County needs additional revenues to ensure that environmental protection, neighborhood integrity, and public safety are maintained.

The Cannabis Business Tax will provide new money for county services. It will be used for many general purposes, such as:

- public health and safety,
- fire services,
- environmental protection,
- animal shelter and community programs, and
- financial accountability.

All revenue collected will stay local, to protect and maintain our neighborhoods.

Voting Yes will not disadvantage low income persons, as there are resources for income restricted patients to receive low or no cost medicine.

Measure K creates a business tax only for cannabis businesses, not all businesses.

Voting Yes will not establish any new cannabis businesses, as the existing businesses are already allowed under State law and our local ordinance.

Measure K is supported unanimously by the Board of Supervisors and will help expand and maintain essential services for county residents.

Join us in voting YES ON MEASURE K.

s/ Bruce McPherson
Santa Cruz County 5th District Supervisor

s/ Fred Keeley
President, Sempervirens Fund

s/ Betsy McCarty
Chief of Public Health, Santa Cruz County (Retired)

s/ Ben Rice*
Attorney for Association for Standardized Cannabis

s/ Karen Delaney
Community Volunteer

*Signing on behalf of the organization listed below the name.

REBUTTAL TO ARGUMENT IN FAVOR OF MEASURE K

The Proponents Argument is deceptive, arguing for stigmatizing the compassionate use of "medical" marijuana, using the theme of criminality, to justify their overly regressive tax on its use. My lawsuit isn't just against their new tax, but against the existing 8.25% tax that will increase to 18.25% if the voters approve Measure K. If approved only "medical cannabis" patients are subjected to this clearly discriminatory tax.

Remember the City of Bell where the City leaders defrauded taxpayers and more recently the King City Police Department. Criminality is drawn by the darkness in the government that proceeds before the criminal element's arrival. Voters shouldn't be deceived this isn't the gateway to legalization of recreational marijuana use that I support and that should be taxed too, but at the same sales tax rate as everything else you buy. My lawsuit also seeks that poor people and Medi-Cal patients should get their medical marijuana free, and people who can afford it should be charged a co-pay like any other medicine you buy.

I asked the voters to Vote No on Measure K, not for me but the "Grateful Dead". "A traveler enters a village and finds the villagers desecrating, or refusing to bury the body of a dead man because he died owing creditors money. The traveler pays the dead man's debts and sees to a decent burial. Later in his travels, the man is saved by a mysterious event, which is credited to the dead man's grateful spirit. Hence, the Grateful Dead."

God bless.

s/ Michael Boyd
Taxpayer

VOTER'S PAMPHLET
MEASURES, ANALYSES AND ARGUMENTS

(whichever is applicable to your ballot)

Arguments in support of, or in opposition to, the proposed laws are the opinions of the authors.

ARGUMENT AGAINST MEASURE K

The Board of Supervisor unanimously approved June 10, 2014, a 10% sales tax, called the "Cannabis Business Tax". A lawsuit was filed July 15, 2014 by local free speech and civil rights advocate Michael Boyd which challenges the proposed 10% sales tax and also challenges the existing 7% use tax imposed on "medical marijuana" based on the State Board of Equalization's justification for the tax as "retail sales of marijuana and any other illegal drugs or property, are subject to sales or use tax to the same extent as is any lawful retail sale of tangible personal property". Just because something is illegal doesn't make it legal to tax it. No statutory authority exists for such tax making it unlawful.

Prior to passage by Congress of H.R. 4660 (2014) existing federal law prohibited the manufacture, possession, sale or distribution of marijuana, including marijuana, as within the definition of "medicine". H.R.4660 passed the House on May 30, 2014. Section 542 defines "medical marijuana" thereby exempting it from federal drug enforcement laws stating it "Prohibits the use of funds made available by this Act for 'preventing specified states from implementing their own laws authorizing the use, distribution, possession, or cultivation of medical marijuana'".

Mr. Boyd said, "The Board of Supervisors think that it is OK to tax the medicine of people who are seriously ill, many, near death, who get no relief from their suffering, except through the relief medical marijuana brings them. The Board's action only serves the forces of socioeconomic terrorism of the poor that comes from viewing people's medicine as more money for cops, and the view their medical marijuana is an illegal substance under federal law. Well not any more thanks to H.R. 4660. Please vote NO on the Board's unlawful tax on "medical marijuana".

s/ Michael E. Boyd
Taxpayer

REBUTTAL TO ARGUMENT AGAINST MEASURE K

Don't be fooled by an argument that the County is legally prohibited from regulating or taxing the sale of medical cannabis (marijuana).

The recent California Supreme Court decision in *Riverside v. Inland Empire* gives the County broad authority to regulate safe, compassionate access to medical cannabis by people in our community.

H.R. 4660, not currently law, simply states that any funds appropriated by the Act **cannot be used to prevent California from passing its own laws that authorize the use, distribution, possession, or cultivation of medical marijuana.**

The argument opposing this measure states that the County tax will be 10%. This is not true. The tax initially will be 7% and any subsequent change will be subject to public review.

Medical cannabis is legal in California and Santa Cruz. However, making sure that growing and using it is done responsibly creates a financial burden on our County.

Medical cannabis is not just like every other medicine. The Sheriff's Office, Planning Department, County Fire, and other County offices need to monitor the cultivation and dispensing of this medicine.

County taxpayers should not have to pay for the services to protect our community from illegitimate and illegal operators. It is only reasonable that medical cannabis businesses help pay these costs, and in fact, the Association for Standardized Cannabis, which represents most of these businesses, supports this measure.

Low income patients will continue to have access to low or no cost medicine.

Join us in voting YES ON MEASURE K.

s/ Ben Rice*
Attorney for Association for Standardized Cannabis

s/ Neal Coonerty
Santa Cruz County 3rd District Supervisor

s/ John Leopold
Santa Cruz County 1st District Supervisor

s/ Katherine Beiers
Former Mayor, City of Santa Cruz

s/ Scott M. Jalbert
Chief, Santa Cruz County Fire Department

*Signing on behalf of the organization listed below the name.



Be a star! Be a Poll Worker!

Serve your community and make some extra money!

\$75 for Clerks * \$100 for Inspectors * \$20 for Training

We need poll workers to serve in the polls for the
November 2014 Election!

To qualify as a Poll Worker you must be either a registered California voter, a county worker, a lawful permanent resident of the United States, or a student in good standing attending a public or private secondary education institution (a separate application is required), who is at least 16 years old at the time of the election and a U.S. Citizen.

If you can't serve, please "Thank a Poll Worker" if you go to the polls!

If you are interested in serving as a poll worker for the
November Election, or
if you can make your business available as a polling place,
please complete the following application and mail or FAX to:

SANTA CRUZ COUNTY CLERK/ELECTIONS
701 Ocean St., Room 210
Santa Cruz, CA 95060
831-454-2445 (FAX)

Or call us at 831-454-2060 or apply online at www.votescount.com

Name: _____ Phone: _____

Address: _____

City: _____ Email: _____

- Yes, I'd like to serve in the polls on November 4.
In addition to English, I am fluent in _____
Please be aware that it is a long day – plan on working 6 a.m. to 11 p.m. with breaks! Or sign up with a friend and split the shift.
- Yes, you may use my business as a polling place. Staff will need to evaluate the facility for compliance with accessibility laws.