

AMENDED IN SENATE AUGUST 12, 2013

AMENDED IN ASSEMBLY MAY 8, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 141

Introduced by Assembly Member Gorell

January 17, 2013

~~An act to amend Section 8605 of the Elections Code, relating to elections relating to ports, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 141, as amended, Gorell. ~~Elections: write-in candidates. Ports: appropriation: Port Hueneme shoreline protection.~~

~~Existing law provides for the name of a person written in on a ballot for a voter-nominated office at a direct primary election to be placed on the general election ballot as a candidate for that office if the person received, at the direct primary election, the highest number of votes cast for the office or the second highest number of votes cast for the office, except as provided.~~

~~This bill would require that a write-in candidate for a voter-nominated office, in addition to being one of the top two vote-getters, receive votes at the direct primary election equal in number to at least 1% of all votes cast for the office at the last preceding general election at which the office was filled in order for his or her name to be placed on the general election ballot as a candidate for that office. The bill also would make clarifying and conforming changes.~~

~~This bill would specify that its provisions become operative only if ACA 9 of the 2013–14 Regular Session is approved by the voters.~~

Existing law provides for the regulation of ports in this state, and provides funding to ports and port districts for that purpose.

This bill would appropriate the sum of \$2,000,000 from the General Fund to the City of Port Hueneme, to be used by the city to implement emergency measures to prevent severe infrastructure damage to streets and property along Hueneme Beach caused by beach erosion and flooding.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote: ~~majority~~^{2/3}. Appropriation: ~~no~~ yes. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 *SECTION 1. The sum of two million dollars (\$2,000,000) is*
2 *hereby appropriated from the General Fund to the City of Port*
3 *Hueneme, to be used by the city to implement emergency measures*
4 *to prevent severe infrastructure damage to streets and property*
5 *along Hueneme Beach caused by beach erosion and flooding.*

6 *SEC. 2. This act is an urgency statute necessary for the*
7 *immediate preservation of the public peace, health, or safety within*
8 *the meaning of Article IV of the Constitution and shall go into*
9 *immediate effect. The facts constituting the necessity are:*

10 *In order to provide necessary funding to implement emergency*
11 *measures designed to prevent possible damage to streets and*
12 *community areas along Hueneme Beach in the City of Port*
13 *Hueneme caused by beach erosion and flooding, as soon as*
14 *possible, it is necessary that this act take effect immediately.*

15 ~~SECTION 1. Section 8605 of the Elections Code is amended~~
16 ~~to read:~~

17 ~~8605. A person whose name has been written in upon a ballot~~
18 ~~for an office at the direct primary election may not have his or her~~
19 ~~name placed upon the ballot as a candidate for that office for the~~
20 ~~ensuing general election unless one of the following is applicable:~~

21 ~~(a) At that direct primary election he or she received for a~~
22 ~~partisan office votes equal in number to at least 1 percent of all~~
23 ~~votes cast for the office at the last preceding general election at~~
24 ~~which the office was filled. In the case of an office that has not~~
25 ~~appeared on the ballot since its creation, the requisite number of~~
26 ~~votes shall equal at least 1 percent of the number of all votes cast~~

1 for the office that had the least number of votes in the most recent
2 general election in the jurisdiction in which the write-in candidate
3 is seeking office.

4 (b) He or she is an independent nominee for a partisan office
5 pursuant to Part 2 (commencing with Section 8300).

6 (c) At that direct primary election he or she received for a
7 voter-nominated office the highest number of votes cast for that
8 office or the second highest number of votes cast for that office;
9 provided that he or she received votes equal in number to at least
10 1 percent of all votes cast for the office at the last preceding general
11 election at which the office was filled, except as provided by
12 subdivision (b) of Section 8142 or Section 8807.

13 SEC. 2. This act shall become operative only if Assembly
14 Constitutional Amendment 9 of the 2013–14 Regular Session is
15 approved by the voters.