

Hi, this is Chris Micheli, with the Sacramento governmental relations firm of Aprea & Micheli and an adjunct professor at McGeorge School of Law in its Capital Lawyering program. Today we're tackling some of the common misconceptions about the California legislative process. Today's podcast deals with a few elections misconceptions.

Misconception: The statewide general election for legislators is always held the first Tuesday in November in even-numbered years. Actually, under Article IV, Section (2) (b) of the State Constitution, Assembly members and Senators are elected on the first Tuesday after the first Monday of even-numbered years, unless otherwise proscribed by the State Legislature.

Misconception: To qualify for the next statewide ballot, both a statutory initiative and a constitutional amendment initiative must obtain signatures from a minimum of 5% of the electors in the last gubernatorial election. Well, while a statutory initiative must obtain signatures equaling 5% of the votes for all candidates for Governor at the last gubernatorial election, on the other hand a constitutional amendment initiative must gather signatures that equal; 8% of the votes cast for Governor in the last gubernatorial election - a higher threshold.

Misconception: Any bill enacted by the Legislature, and signed into law by the Governor is subject to referendum by the voters. Well, under Article II, Section 9 of the California State Constitution, the referendum is the power of the electors to approve or reject statutes or part of statutes. However, there are a few exceptions to the referendum. That includes: urgency statutes, statutes calling elections, and statutes providing for tax levies or appropriations for the usual and current expense of the state.

Those are just a few of the misconceptions dealing with elections.