



April 8, 2015

The Honorable Richard Roth, Chairman
California Senate Budget Subcommittee #4
State Capitol, Room 4034
Sacramento, CA 95814

RE: Restoring of State Mandates; Election Administration

Dear Chairman Roth:

On behalf of the California Voter Foundation, a nonprofit, nonpartisan organization dedicated to improving the voting process to better serve voters, I'm writing to request that you restore funding to the state budget to pay for state mandated local election programs.

The six fundable election mandates proposed to be suspended are presented in the committee's hearing analysis as follows:

1. Absentee Ballots (Ch. 78 of 1977) – \$49,589,000
2. Absentee Ballots – Tabulation by Precinct (Ch. 697 of 1999) – \$68,000
3. Modified Primary Election (Ch. 898 of 2000) – \$1,817,000
4. Permanent Absent Voters II (Ch. 922 of 2001) – \$12,098,000
5. Voter Identification Procedures (Ch. 260 of 2000) – \$10,075,000
6. Voter Registration Procedures (Ch. 704 of 1975) – \$2,481,000

Based on these figures, the amount needed to restore this funding in the 2015-16 budget is \$76,128,000.

Given the budget surplus this year, Governor Brown's commitment to pay down the state's debts, and California's record low voter turnout in both the 2014 Primary and General elections, now is the time to restore this funding and demonstrate the state's commitment to supporting local election programs that facilitate participation. Counties have had to reduce services such as outreach programs and early voting opportunities to make up for the lack of funding being provided by the state.

We urge you to restore funding for election mandates to the budget for these additional reasons:

1) The biggest mandate of the suspended election mandates is for vote-by-mail

programs, accounting for 81 percent of the election mandates funding. Currently nearly half of California voters are signed up as permanent vote-by-mail voters. Failure to fund this popular program and other state-mandated election programs that lawmakers themselves created through changes in state law is a disservice to all voters.

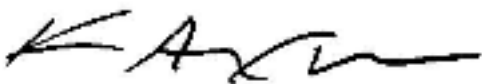
2) The absence of this funding in the budget puts recently enacted reforms, such as same day voter registration, at risk. In 2012, the Legislature passed AB 1436/Feuer, which allows voters to register at county election offices or satellite locations on Election Day. The law is scheduled to go into effect in 2017, after the new VoteCal statewide voter registration database is completed. In implementing this program, counties will be eligible to claim reimbursements, as it is a state-mandated local program. If, however, counties are not reimbursed, they have the right to treat this program as optional and withhold this service from voters.

3) Election law needs to be uniform in California. Unlike other mandates that have been suspended, election programs cannot be provided as "optional services" by counties and yet that is exactly what the state is allowing to happen by withholding funding for election mandates. For the sake of uniformity and equal protection, all voters in the state must have equal access to voting and election services. The Legislative Analyst's Office agrees and supports restoring election mandates for this reason. As the LAO wrote in its 2013 analysis: "We believe that the administration's proposal to suspend the mandates represents the worst option as it carries with it the largest risk for inconsistencies in California elections."

4) Failure to fund state mandated election programs could lead to election challenges. Imagine what could happen in statewide, congressional or legislative contests if counties within the same political district give voters different vote-by-mail rights, or do not all verify provisional ballot envelope signatures in the same manner as proscribed by state law, since these services and procedures are now technically optional. Contests would go undecided for days and weeks, litigation and court battles would ensue, and results would be called into question.

Thank you for your consideration. If you have any questions I can be reached at 916-441-2494 or at kimalex@calvoter.org.

Sincerely,



Kim Alexander
President