



April 27, 2016

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) – \$49,608,000
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) – \$11,907,000
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 2016-17 budget is \$75,956,000.

In lieu of funding support for election mandates for the past five years, the Legislature has instead resorted to passing optional laws that give counties the right to provide certain services and programs for voters, but do not require them to do so. This pattern of lawmaking creates even more inequality in voter services and experiences and undermines all California voters' right to equal protection under the law. In addition, counties have had to reduce services such as outreach programs and early voting opportunities to make up for the lack of funding from the state.

If the Legislature and Governor are committed to continuing the suspension of funding for election mandates, an alternative course of action is recommended. We suggest you consider block grants or some other funding approach, possibly through the Secretary of

State's budget, as an alternative way for the state to provide ongoing, direct support to counties to adhere to state law and conduct fair elections that treat voters equally statewide.

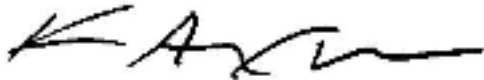
Election law needs to be uniform in California. Unlike other mandates that have been suspended, election programs cannot be provided as "optional services" by counties and yet that is exactly what the state is allowing to happen by withholding funding for election mandates. For the sake of uniformity 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."

Additionally, 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.

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.

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

Sincerely,

A handwritten signature in black ink, appearing to read 'K Alexander', written in a cursive style.

Kim Alexander
President