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**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



FROM: Executive Office

SUBMITTAL DATE: March 24, 2003

SUBJECT: Position on SB 430 by Senator Johnson relating to Elections

RECOMMENDED MOTION: That the Board of Supervisors oppose SB 430 and direct the Executive Office and the Board's Sacramento representative to further the Board's position.

BACKGROUND: To address concerns that presidential nominees were selected before California held its June primary, the Legislature in 1996 set a late March primary and then in 1998 moved the primary to the first Tuesday in March. Critics argue that the March primary has resulted in low voter turnout and increased voter apathy caused by the eight months between the primary and general election. Opponents also argue that the early primary creates hardships for candidates by making them campaign through the holiday season. To address the low voter turnout without compromising the State's influence in the presidential primary, Senator Johnson has introduced SB 430. This measure would require the statewide direct primary to be held on the first Tuesday, after the first Monday in September of each even numbered year. The bill retains the requirement that the presidential primary be held on the first Tuesday in March in presidential election years and specifies that the statewide primary will not be consolidated with this primary, hence requiring two primaries, one in March and one in September in presidential election years. This new requirement would cost Riverside County and additional \$2 million in presidential election years and potentially increase the cost of conducting elections by nearly \$100

(Continued on next page)

Gary M. Christmas
Gary M. Christmas, Legislative Manager

- Consent
- Policy
- Consent
- Policy

FINANCIAL DATA:	N/A		
CURRENT YEAR COST	\$	ANNUAL COST:	\$
NET COUNTY COST	\$	IN CURRENT YEAR BUDGET:	Yes/ No/
		BUDGET ADJUSTMENT FY:	Yes/ No/

SOURCE OF FUNDS:

C.E.O. RECOMMENDATION: APPROVE

[Signature]
County Executive Office Signature

Department Recommendation:
Per Executive Office:

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3.6

million statewide. In addition to the increased cost, holding two primaries every four years and moving the statewide primary to September, this bill presents administrative burdens to county elections officials including, increased difficulty in recruiting pollworkers, inadequate time to certify primary election results, conduct necessary recounts and/or respond to legal challenges, and inadequate time allowances for printing general election material and providing voters with sample ballots.

This bill is a reintroduction of last year's SB 1975. As enacted by the Legislature that measure would have established a statewide primary in June of each election year in addition to the March presidential primary. Governor Davis vetoed SB 1975 due to cost and voting modernization concerns.



2003
LEGISLATIVE ANALYSIS

- BILL NUMBER:** Senate Bill 430
- AUTHOR:** Senator Ross Johnson
- PRESENT LAW:** Current state law requires that the statewide primary election be held on the first Tuesday in March in each even numbered year. State law also requires that in presidential election years, the statewide primary be consolidated with the presidential primary on the first Tuesday in March.
- PROPOSED LAW:** SB 430 would require that the statewide primary be held on the first Tuesday after the first Monday in September of each even-numbered year. The measure additionally requires that the presidential primary election be held on the first Tuesday in March, but continues to provide for the statewide primary in September, thus requiring election officials to conduct two primaries in presidential election years.
- RECOMMENDATION:** Oppose
- DISCUSSION:** In an attempt to have greater influence in deciding presidential elections, California moved its June primary to March. According to critics, the March primary is responsible for increased voter apathy and low voter turnout. Proponents of SB 1975 argue that dozens of other states, including New York, Florida, Maryland, Massachusetts and Michigan hold statewide primaries in August or September and that California should be able to also. By moving the statewide primary to September, proponents state that this measure would:
- Promote greater competition in the primaries by providing potential candidates more time to decide if they want to run for office.

- Lower the cost to run for office because the campaign cycle would be shortened.
- Allow elected officials to focus on state issues rather than lengthy reelections.
- Keep campaign volunteers involved throughout election cycle
- Increase accountability for statements made by candidates during the primaries.

County election officials, however, are concerned about the increased cost burdens created by the additional primary election during presidential election years and are very concerned about the administrative burdens this bill creates by shortening the time between elections from approximately 240 days to 60 days. Election officials express concern over the ability to conduct, canvass, and certify election results and still allow time for recounts or legal challenges while they prepare for the general election in just 60 days. Election officials have also expressed concern with out-of-county and overseas voters, many of them military members, having adequate time to receive absentee ballots and return them in time to accommodate the shortened election cycle. It should be noted that while ballot marking issues received the lion's share of attention in the post Nov. 2000 presidential Florida debacle, the problems created by the short time available for canvassing and certifying results was responsible for much of the litigation which surrounded those election results.

Many election officials believe that the solution to problems raised by Senator Johnson would be for California to return to a consolidated June primary or to a consolidated election held anytime between April and June. Critics of the March primary argue that it has been relatively ineffective in increasing California's influence over presidential elections since most other State's also moved up their primaries. To make a September primary work, election officials believe significant reforms to the election process would have to occur including eliminating the requirement to provide sample ballots. These necessary reforms may in fact work against the goal of SB 430 which is to increase voter turnout.

In virtually every case where elections are held which are supplementary to consolidated elections i.e., special elections, city "stand alone" elections, etc. voter turnout

suffers. Consistently voters complain about such elections not being incorporated (consolidated) with other scheduled elections. They cite costs and inconvenience regularly in these criticisms.

FISCAL EFFECT:

This measure is estimated to increase the County's election cost by \$2 million in presidential election years and increase the cost of conducting statewide elections due to shortened timeframes. It is noteworthy that this bill which creates a \$50-\$100 million reimbursable state mandate at a time when the State is deferring payment of all mandates. This deferral requires Riverside County to front nearly \$10 million annually to cover the cost of state mandated programs.

ORGANIZATION
POSITIONS:

The California Association of Clerks and Election Officials oppose this measure.