COUNTY OF LOS ANGELES
REGISTRAR-RECORDER/COUNTY CLERK
12400 IMPERIAL HWY. – P.O. BOX 1024, NORWALK, CALIFORNIA 90651-1024/(562) 462-2716

CONNY B. McCORMACK
REGISTRAR-RECORDER/COUNTY CLERK

April 28, 2003

TO: EACH SUPERVISOR

FROM: Conny B. McCormack, Registrar-Recorder/County Clerk

PRESS PACKET: OPPOSITION TO LEGISLATIVE PROPOSALS (AB 1531 and SB 430) CALLING FOR TWO PRIMARY ELECTIONS IN 2004

As mentioned in yesterday's CAO State Legislative Update, attached is an information packet that was distributed at the press conference held on April 21 in Sacramento by the California Association of Clerks and Election Officials (CACEO). The purpose of the press conference was to voice strong opposition to AB 1531 and SB 430, the bills that would require two primary elections to be held next year in order to separate the presidential contest from the other primary election contests.

The CACEO has estimated the statewide cost of an additional primary election at $60 million – an unnecessary expense at a time when the state is in financial crisis. The materials also highlight the result of CACEO research that reveals a plunge in voter turnout occurs in states that currently bifurcate the presidential primary from the primary for other state and local offices (see enclosed graph). High cost and low voter turnout are the reasons 7 of the 26 states that hold two primary elections are currently considering legislative proposals to eliminate the separate presidential primary election.

The attached materials were also presented to each member of the Assembly Elections, Redistricting and Constitutional Amendment Committee at their hearing on April 22. At that hearing I testified against AB 1531 representing both your Board and the CACEO (in my capacity as Vice President of that organization).

Next week the Senate Elections and Reapportionment Committee will consider SB 430. At that hearing I will again be testifying against the bill. More than 40 counties' have formally opposed, or have docketed on an upcoming Board agenda, positions of opposition to these bills. It is anticipated that all counties will do so prior to floor votes in the State Senate and Assembly.

Today's *LA Times* (page B2) contained a blurb in Patt Morrison's column describing CACEO's opposition to the State holding two primary elections next year. The CACEO will continue to seek media attention regarding this issue. If you have questions, please call me.

c: CAO
Attachment

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VICE PRESIDENT
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CALIFORNIA ASSOCIATION OF CLERKS AND ELECTION OFFICIALS

CONTACT: Conny McCormack (562) 462-2716

April 21, 2003

FOR IMMEDIATE RELEASE

ELECTION OFFICIALS TO HOLD PRESS EVENT MONDAY, APRIL 21, 2003 - OPPOSE LEGISLATIVE PROPOSALS TO REQUIRE COSTLY DUAL PRIMARY ELECTIONS IN 2004

United in opposition to two legislative proposals (AB 1531 and SB 430) that would bifurcate the primary election by requiring the Presidential contest to be conducted separately, on a different date, from the primary election for all other federal, state and local contests, the California Association of Clerks and Election Officials (CACEO) will hold a press conference on Monday, April 21 at 2 p.m. in the State Capitol, room 1190, to outline key reasons for their opposition. California's consolidated primary election for all partisan offices is currently scheduled for March 2, 2004. "Passage of AB1531 would send voters to the polls again 14 weeks later at an estimated statewide cost of up to $60 million. California has never held a second primary election before and, at this time of fiscal crisis, it is irresponsible to mandate a costly additional statewide election," said Ann Reed, CACEO President.

AB 1531 is scheduled for hearing on April 22 before the Assembly Elections, Redistricting and Constitutional Amendments Committee. AB 1531 splits the primary into two elections held in March and June, while SB 430 sets the two dates in March and September 2004. SB 430 is scheduled to be heard in the Senate Elections and Reapportionment Committee on April 30.

At the press event, officers of the CACEO will present statistics that reveal significant drop-off in voter turnout for the second primary election in states that conduct two separate primary elections in presidential years. According to the CACEO, the

(This is a two-sided copy)

combination of high cost and low voter turnout in the second primary has resulted in seven states introducing legislation this year to eliminate one of their primary election dates. "The trend is clearly in the opposite direction in many other states," Reed declared.

Reed also explained the CACEO's concerns that requiring three statewide elections (two primaries and the general election) in 2004 would be further complicated by the fact that 8.5 million of the state's voters (more than 50%) will confront new, unfamiliar voting equipment for the first time in 2004 due to the legal prohibition on use of punch card voting systems in California after this year. "Facing the challenges of installing new voting systems, election officials need sufficient time to introduce the new equipment to voters to assure a successful transition," Reed said.

In 2002, the Legislature passed a similar measure, SB 1975, that was vetoed by Governor Gray Davis. In his veto message the Governor expressed concerns regarding the significant additional cost. He stated that having two primaries "would have the unintended effect of further discouraging voter interest," adding "it would be wise to wait until the new voting systems are fully operational before considering any change to California's primary election date."

While acknowledging that there are valid reasons for moving statewide primary elections closer to November General election dates, the CACEO offers the following suggestions:

- Keep one state primary election date in presidential years. Voter turnout was good in California's March 1996 and March 2000 consolidated primary election as the focus nationwide is on elections in March of presidential years.
- Return state primary elections to June in non-presidential years. The experimental March 2002 Primary election date caught voters unaware – traditionally the Gubernatorial Primary election was held in June, allowing a shorter campaign season.

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CALIFORNIA ASSOCIATION OF CLERKS AND ELECTION OFFICIALS

April 18, 2003

Assembly Member John Longville
State Capitol
P.O. Box 942849
Sacramento, CA 94249-0062

Dear Assembly Member Longville:

The Elections Legislative Committee of the California Association of Clerks and Election Officials has adopted an **Oppose** position in regard to **AB 1531**, your proposal to bifurcate the presidential and direct primary elections and to move the direct primary election to June of even-numbered years.

The cost of conducting an additional primary election is projected to be $60 million dollars statewide. This financial obligation would be imposed on taxpayers at a time when State and local governments are already facing serious budget shortfalls.

While it is understood that some other states hold separate presidential and direct primary elections, those states do not have to administer California's complex and labor-intensive election laws, including the preparation and distribution of Sample Ballots and Voter Information Pamphlets, consolidation of local elections, numerous state and local ballot measures, a 15 day close of registration, and permanent absentee voting. Further, primary elections, whether presidential or direct, require separate ballots to be prepared for each political party that has qualified to participate.

California's election officials have openly expressed concern regarding the increasing complexity of administering elections, and their ability to meet those demands. Many counties are implementing new voting systems, due to the de-certification of punchcard systems and the availability of Voting Modernization funds, and all counties are pressured to interpret and implement the provisions of the "Help America Vote Act," the new federal law with far-reaching and costly implications. Mandating two separate primary elections with overlapping time frames increases the complexity of election administration and jeopardizes the conduct of both.

California's voter turnout in primary elections has certainly been cause for concern, but turnout in direct primary elections held separately from presidential elections is abysmally low.

Should you have any questions, please do not hesitate to contact me at the Shasta County Clerk's Office, (530) 225-5166.

Very truly yours,

Ann Reed, President
California Association of
Clerks and Election Officials

c: Senator Perata, Chair, Senate Committee on Elections and Reapportionment
Assembly Member Longville, Assembly Committee on Elections and Reapportionment
Ernie Hawkins, Co-Chair, CACEO Elections Legislative Committee
Brad Clark, Co-Chair, CACEO Elections Legislative Committee

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CALIFORNIA ASSOCIATION OF CLERKS AND ELECTION OFFICIALS

April 17, 2003

Senator Ross Johnson
State Capitol, Room 3063
Sacramento, CA 95814

Dear Senator Johnson:

The Elections Legislative Committee of the California Association of Clerks and Election Officials has reviewed **SB 430,** your proposal to bifurcate the presidential and direct primary elections and to move the direct primary election to September of even-numbered years. On behalf of California's election officials, the Committee has adopted a position of **Oppose**.

The cost of conducting an additional primary election is projected to be $60 million dollars statewide. This financial obligation would be imposed on taxpayers at a time when State and local governments are already facing serious budget shortfalls.

While it is understood that some other states hold separate presidential and direct primary elections, those states do not have to administer California's complex and labor-intensive election laws, including the preparation and distribution of Sample Ballots and Voter Information Pamphlets, consolidation of local elections, numerous state and local ballot measures, a 15 day close of registration, and permanent absentee voting. Further, primary elections, whether presidential or direct, require separate ballots to be prepared for each political party that has qualified to participate.

California's election officials have openly expressed concern regarding the increasing complexity of administering elections, and their ability to meet those demands. Many counties are implementing new voting systems, due to the de-certification of punchcard systems and the availability of Voting Modernization funds, and all counties are pressured to interpret and implement the provisions of the "Help America Vote Act," the new federal law with far-reaching and costly implications. A September primary election would conflict with numerous existing statutory deadlines for the November general election. Mandating two separate primary elections, the second of which overlaps the preparation for the November general election, significantly increases the complexity of election administration and jeopardizes the conduct of both the September primary and the November general election.

California's voter turnout in primary elections has certainly been cause for concern, but turnout in direct primary elections held separately from presidential elections is abysmally low.

Should you have any questions, please do not hesitate to contact me at the Shasta County Clerk's Office, (530) 225-5166.

Very truly yours,

Ann Reed, President
California Association of
Clerks and Election Officials

c: Senator Perata, Chair, Senate Committee on Elections and Reapportionment
Assembly Member Longville, Assembly Committee on Elections and Reapportionment
Ernie Hawkins, Co-Chair, CACEO Elections Legislative Committee
Brad Clark, Co-Chair, CACEO Elections Legislative Committee

REASONS?

A shorter campaign period has benefits. However, California never had - or needed - a second primary election before.

Why NOW? When...

- **State is broke** - Extra election would cost up to $60 million

- **Trend in other states is in opposite direction**

  Colorado and *Missouri* just eliminated their second primaries. *Arizona, Utah, Kansas, Florida* and *Kentucky* have legislation pending that would delete one of their primary elections.

  All these states cite:
  - High cost
  - Low voter turnout

- **Prior support for a second primary is evaporating**

  League of Women Voters changed position from *Support* to *Watch*.

  California Secretary of State changed position from *Support* to *Watch.*

GOVERNOR DAVIS VETOED BILL LAST YEAR

Due to:

- **Significant cost**
- **Strong opposition by Counties**
- **Challenge of installing new voting systems**
  8.5 million voters (50%) will confront new, unfamiliar voting equipment in 2004
- **Concerns regarding voter turnout**

In his veto message, the Governor wrote:

"...having two primaries... would have the unintended effect of further discouraging voter interest... we would be wise to wait until the new voting systems are fully operational before considering any change to California's primary election date."

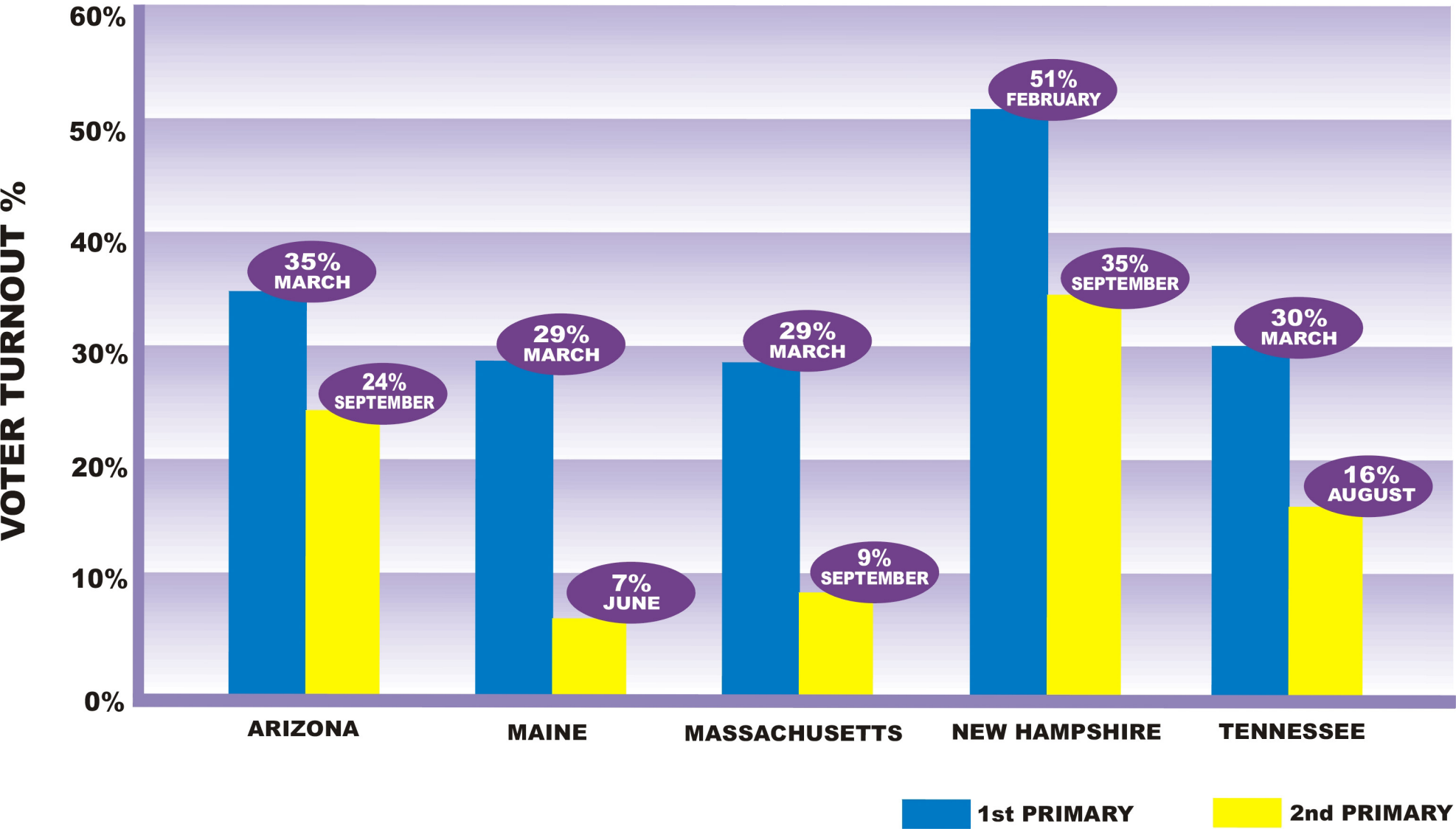
The CACEO concurs!

THE *NO COST* SOLUTION

Keep <u>one</u> state primary election in presidential years

Voter turnout was good in California's March 1996 and March 2000 Primary Elections - the focus nationwide is on elections in March of presidential years.

Return state primary election to June in non-presidential years

The experimental March 2002 Primary Election date caught voters unaware - previously the Gubernatorial Primary was always in June.

SAMPLE OF STATES WITH TWO PRIMARIES
YEAR 2000