

CITY CLERKS DEPARTMENT OF THE LEAGUE
CCAC Legislative Director Report
A. Kay Vinson, MMC

August, 2007

LEAGUE ANNUAL CONFERENCE

The League Annual Conference is September 5-8, 2007 at the Sacramento Convention Center. The City Clerk Department session with swearing in of new officers is Thursday, September 6th from 9:30 -11:00 am at the Hyatt Hotel.

SECRETARY OF STATE

Secretary of State Debra Bowen decertified direct recording electronic (DRE) systems by Diebold, Hart InterCivic and Sequoia EXCEPT "the Diebold and Sequoia DRE systems were recertified solely for the purposes of conducting early voting" and to provide "one DRE machine in each polling place on Election Day for the purpose of complying with disability access requirements of the Help America Vote Act." (Quotes from Secretary Bowen's news release dated August 3, 2007.) More information is available from [ss.ca.gov](http://www.sos.ca.gov/elections/elections_vsr.htm) and the reports are at http://www.sos.ca.gov/elections/elections_vsr.htm.

CACEO

CACEO will be holding their annual meeting in Yosemite from September 4-7, 2007. The August 3rd meeting in Emeryville was cancelled and rescheduled for August 24th in San Diego. Margaret Robert, Davis City Clerk, is planning on attending their October 12th meeting in Sacramento.

LEGISLATION

For the most part, there are only minor updates on the legislation from last month's report.

AB 1732 (Assembly Elections & Redistricting Committee) Elections. Governor Schwarzenegger took Prez. Shalice's advice and signed this bill on July 20th. CCAC/City Clerk Department of the League, along with Anthony Thomas, worked with Consultant Ethan Jones and Chair Curren Price of the Assembly Elections Committee, on two of our proposals contained in this committee bill. One proposal revises the definition of elections official by eliminating 'governing board' to protect the integrity of the democratic process and avoid a governing body from being in a conflict position of certifying a recall petition on themselves or a referendum petition against their own ordinance. Our other proposal places into statute current case law, prohibiting candidates from referencing other candidates in their candidate statements.

Also contained in the bill worth noting is a time change for circulation of a referendum petition to 30 days from when the ordinance is attested by the city clerk/secretary to the legislative body, rather than 30 days from the date the ordinance is passed. The bill is in Chapter 125.

AB 9 (Huff) Watch	<u>Voter ID</u> , requires ID to vote, specifies forms of ID, allows provisional ballot to those without ID, and imposes a felony for violation. Failed in committee on 3/27, reconsideration granted.
AB 18 (Blakeslee) Support	<u>Signature Stamp Act</u> , allows those unable to write to affix a stamp. Hearing 8/27 in Senate Appropriations Committee. CACEO supports.
AB 44 (Mendoza) Watch	<u>Absentee Ballot Mailing</u> to include sample ballot unless previously provided. To 3 rd reading in Senate.
AB 46 (Tran) Watch	<u>Felony for interference with a person's right to vote</u> . Currently a misdemeanor or felony. Assembly Appropriations – held under submission.
AB 119 (Price) No position	<u>Election to fill vacancy in State Legislature or Congress</u> . Expenses to be paid by State. Senate Appropriations suspense file.
AB 122 (Solorio)	<u>Voter intimidation: candidate notification</u> . 3 rd reading in Senate.
AB 183 (Coto) Watch	<u>Requires high school students eligible to register to vote to do so as a condition of graduation unless a statement is submitted that they choose not to register to vote</u> . 3 rd reading in Senate.
AB 223 (Runner)	<u>Allows a person, called for military service, to request and obtain an absentee ballot after the application deadline has expired</u> in either the county of registration or the county in which they were recalled to military service. The absentee ballot shall contain the measures/races where the voter is registered. Senate Special consent calendar. CACEO has taken a Watch position.
AB 288 (Price)	<u>Voter Intimidation Restitution Fund</u> . Passed Senate Appropriations Committee on 8/22. CACEO – Watch.
AB 332 (DeVore)	<u>Recall Petition Certification</u> . Chaptered in 51 on 7/12.
AB 355 (Price)	<u>Election Day Registration</u> . Assembly Appropriations – held under submission.
AB 452 (Arambula)	<u>Voter Registration: Change in Party Affiliation</u> . Held at Senate desk on 7/12. CACEO – Support.
AB 466 (Hancock)	<u>Pupils: Average Daily Attendance: Student Poll Worker</u> . Senate Appropriations suspense file. CACEO - Watch.
AB 603 (Price)	<u>Voter Registration: Confidentiality</u> . 3 rd reading in Senate. CACEO – Support.
AB 614 (Eng)	<u>Voting Rights: Limited English Proficiency</u> . Senate Appropriations suspense file. CACEO – Watch.

AB 643 (Brownley) Absentee Ballots: SOS Report. 3rd reading in Senate. CACEO – Watch.

AB 852 (Krekorian) Voting System Certification: Vendors. Assembly Appropriations – hearing postponed. CACEO – Oppose.

AB 917 (Salas) Direct Recording Electronic Voting Systems: Additional Ballots at Polls. Senate Appropriations suspense file. CACEO – Oppose.

AB 943 (Calderon) Initiative Petitions: Signature Requirement. Hearing cancelled on 4/17. CACEO – Watch.

AB 965 (Anderson) California Republican Party: Organization. Chaptered in 60 on 7/12.

AB 970 (Levine) Gubernatorial Candidate Debates. Assembly Appropriations – held under submission.

AB 984 (Price) Election Precincts: Subtract PAV'S. Committee postponed hearing on 5/1.

AB 1090 (Spitzer) Ballot Designation Requirement. 3rd reading in Senate. CACEO – Watch.

AB 1151 (Lieu) Voting Machines Security. 3rd reading in Senate. CACEO – Watch.

AB 1167 (Nava) Absentee Voter Postage Fund. Senate Appropriations suspense file.

AB 1232 (Berg) Additional Ballots at Polls. In Committee – not acted on since 2/26. CACEO – Watch.

AB 1243 (Karnette) Voter Turnout. 3rd reading in Senate Appropriations Committee. CACEO – Watch.

AB 1287 (Jeffries) Absentee Voting Satellite Locations. Governor signed on 7/12, Chapter 63.

AB 1294 (Mullin and Leno) Ranked voting for local elections. Provides that a city or county may conduct a local election using ranked voting. CCAC sent letters in support. Reconsideration granted in Senate Appropriations Committee.

AB 1393 (Leno) Public Records. This bill: 1) requires specifics about record availability on the internet; 2) allows a records requestor, if record denied, to request Attorney General review; 3) establishes \$100/day fine up to \$10,000 if court determines records were public and not provided; 4) requires DOJ to convene an advisory task force regarding standards for posting and denial of requests. Senate Appropriations suspense file.

AB 1408 (Villines) Voter Registration Cancellation: Felons. Failed 4/24, reconsideration granted. CACEO – Watch.

AB 1430 (Garrick) Political Reform Act contribution limitations. Only impacts local jurisdictions if bill conflicts with local ordinance on payments for members, etc. communications. To Senate for 3rd reading.

- AB 1654 (Huffman, DeSaulnier and Saldana) Mail ballot elections: statewide and local elections. Permits any election in a city, county or district to be conducted as an all-mailed ballot election if the governing body of a city, county, or district, by resolution, authorizes the all-mailed ballot election. Just prior to the April 17th hearing, the bill was pulled and made a two-year bill. The bill remains in the Assembly, Elections & Redistricting Committee for work and/or amendments, and can be presented in January 2008.
- AB 1662 (Cook) Absentee Ballot: Overseas Voting. Senate Appropriations suspense file. CACEO – Watch.
- SB 130 (Battin) Makes technical amendments to provisions governing the circulation of a state initiative/referendum petition. Assm. Appropriations suspense file.
No position
- SB 173 (Harman) Requires a voter to present proof of identity to a member of the precinct board before receiving a ballot and specifies allowable forms of ID; requires Secretary of State to establish a task force to implement; allows a voter without ID to cast a provisional ballot. Hearing cancelled on 3/27.
Watch
- SB 293 (Ackerman) Republican Presidential Nominations. Chapter 76 on 7/17.
- SB 343 (McLeod) Local agencies: Open meetings: Documents. Originally provided that no action or discussion shall occur on any agenda item unless all related writings are included in the agenda packet when posted. Kudos to League Legislative Representative Anthony Thomas for being instrumental in organizing two conference calls on May 11th. The first involved a contingency of local agencies, i.e. School District, Special Districts, Sanitation Districts, Water Agencies, etc. and the second call included the author's staff. The calls resulted in amendments, which ultimately do not impact current practice except to include the address of the designated office on the agenda to receive documents. To Assembly for 3rd reading.
- SB 382 (Oropeza) New Citizens: Voting. To 3rd reading in Assembly. CACEO & League Board – Support.
- SB 408 (Oropeza) Petition Circulators: Qualifications. 3rd reading in Assembly.
- SB 439 (Calderon) Recount Procedures: Write-In Candidates. 3rd reading in Assembly.
- SB 448 (Margett) Polling Place Prohibitions. Hearing postponed. CACEO – Watch.
- SB 512 (Committee) Conflict of Interest Code Filing. Assembly consent.
- SB 513 (Committee) Voting Machine Demonstrator. Senate Special consent calendar.
- SB 524 (Corbett) Voter Registration: Confidentiality. 6/28 re-referred to Rules Committee. CACEO – Support.
- SB 653 (Calderon) False or Misleading Voter Information: Penalties. Hearing postponed on 4/9.

- SB 656 (Aanestad) Candidate Statements. To Rules Committee on 3/8. CACEO – Watch.
- SB 768 (Corbett) Misuse of Voter Registration Information: Penalties. Senate unfinished business on 7/28. CACEO – Watch.
- SB 812 (Correa) Paid Voter Registration Activities. To 3rd reading in Assembly. CACEO – Watch.
- SB 813 (Wiggins) Election Cancellation: Death of Candidate. Enrolled – to Governor on 7/12.
- SB 854 (Ridley-Thomas) Student Voter Registration. Assembly Appropriations suspense file. CACEO - Watch
- SB 964 (Romero) Local agencies. Relates to Brown Act. The original purpose was to reverse Wolfe v. City of Fremont, and ultimately prohibit staff, including the City Manager, from briefing individual Council members. Anthony Thomas, League Legislative Representative, solicited CCAC/City Clerk Department concerns that the bill would stifle responding to our elected officials' questions, providing needed clarification or communicating late information. Randi Johl, Lodi City Clerk, provided research and drafted the letter sent on behalf of CCAC in opposition to the bill. As of May 4th, the League withdrew their opposition because the author accepted their amendments that ensure all staff briefings can continue. In the end this bill now clarifies existing law that a serial meeting is illegal. To Assembly for 3rd reading.
- SB 967 (Simitian) Election Precincts: Subtract PAV'S. Hearing cancelled at author's request on 7/3. CACEO – Support.

The complete text and status may be obtained from www.leginfo.ca.gov.

Federal bills introduced:

- H.R. 101 (Davis) Federal Election Integrity Act of 2007. 2/2/07 referred to Sub-Committees on Crime, Terrorism & Homeland Security and Constitution, Civil Rights & Civil Liberties.
- H.R. 281 (Davis) Universal Right to Vote by Mail Act of 2007. 1/5/07 referred to Committee on House Administration.
- H.R. 301 (Pearce) Enacts the "Voter Bounty Registration Act of 2007", establishing standards for distribution of voter registration application forms. 1/5/07 referred to Committee on House Administration.
- H.R. 302 (Pearce) Prohibits a State from using payments from the "Fair Voter Education Act of 2007" to use the payments for public communications promoting or opposing a candidate for public office or political party. 1/5/07 referred to Committee on House Administration.

- H.R. 481 (Doolittle) Federal Election Integrity Act of 2007. 1/16/07 referred to Committee on House Administration.
- H.R. 811 (Holt) Enacts the “Voter Confidence and Increased Accessibility Act of 2007”, amending the Help America Vote Act of 2002 **to require a voter verified permanent paper ballot**. 5/16/07 placed on Union calendar.
- H.R. 818 (Rangel) Ex-Offenders Voting Act of 2007. 2/5/07 referred to House Committee on Judiciary.
- S. 453 (Obama) Enacts the “Deceptive Practices and Voter Intimidation Prevention Act of 2007,” prohibiting deceptive practices in Federal elections. Hearing scheduled on 8/2/07 in Senate Judiciary Committee.
- S. 559 (Nelson) Vote Integrity and Verification Act of 2007 – similar to H.R. 811 **requiring a voter-verified permanent paper ballot**. 2/13/07 referred to Senate Committee on Rules.

LEGISLATIVE PROPOSALS

If you come across statutes that need clarified or changed; and want to propose some needed legislation, please complete the following form and forward to any member of the legislative committee.

Kay Vinson, Murrieta	Dawn Abrahamson, Fremont
Barbara Mergan, Sanger	Barbara Riegel Wayne, Oceanside
Cheryl Morse, El Cerrito	Joann Tilton, Manteca
Debbie Wolff, Rancho Santa Margarita	Stephanie Mendendall, Upland
Frank Martinez, Los Angeles	Patricia Athenour, Pinole
Helen Kawagoe, Carson	Rod Diridon Jr., Santa Clara
Kathleen Midstokke, Downey	Brenda Carter, Mendota
Larry Herrera, Long Beach	Leslie Caviglia, Visalia
Margaret Roberts, Davis	Pamyla Means, Berkeley
Randi Johl, Lodi	Shirley Concolino, Sacramento
Rick Caldeira, Lathrop	JoAnne Cousino, Barstow
Pam Powell, Eureka	Cindy Van Wormer, Fort Bragg
Sue Herbers, Torrance	Stephanie Mendenhall, Upland
Eleanor Manzano, Redondo Beach	Barbara McGee, Rialto

LEGISLATIVE PROPOSAL FORM

Instructions for Preparing Legislative Proposal Form

If you have a legislative issue that you would like the Legislative Committee to review, please complete the attached form and submit to one of the members of the CCAC legislative committee listed above.

Your proposal will be reviewed by the Legislative Committee for consideration to recommend action to support by CCAC.

LEGISLATIVE PROPOSAL

Submitted by:

_____ (name)
_____ (agency/organization)
_____ (address)
_____ (city & ZIP)
_____ (telephone)
_____ (fax)
_____ (e-mail)

Topic: _____

Request to **amend/repeal/add** which code section?

Current law enacted (or last amended) by which bill, author, and year?

What's the problem that requires this amendment? **Please describe.**

Has this proposal been tried in the past? If so, **please give** the bill number, author, and year.

What does the proposed amendment do? What problem will it solve? How will it affect the Agency/public? **Please describe.**

Will this proposal save/increase costs? **Explain and give estimates.**

Which groups follow this topic and will be interested in supporting your request? **What did they say when you talked to them about your proposal? Please list the names of the people you talked to.**

Do you have local legislative support for this proposal or can you recommend a legislative sponsor? **Please list names.**

Who will oppose this proposal? Why?

Please attach the **specific language** that you request.