

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

September, 2007

**LEGISLATION**

Lots of bills were finalized in the last two weeks before the Legislature adjourned, and the Governor has until October 14<sup>th</sup> to sign them. To read the bills in entirety, go to [www.leginfo.ca.gov](http://www.leginfo.ca.gov).

The second year of this session will convene January 7, 2008. The Legislative Committee plans to coordinate a welcome-back breakfast for both the Assembly and Senate Elections Committees and the Secretary of State. Work will continue on an option for general law cities to have mail ballot elections.

**AB 1732** (Assembly Elections & Redistricting Committee) Elections. Governor Schwarzenegger took Prez. Shalice's advice and signed this bill on July 20<sup>th</sup>. 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.

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| AB 18 (Blakeslee)<br><a href="#">Support</a>  | <u>Signature Stamp Act</u> , allows those unable to write to affix a stamp. Enrolled.   |
| AB 44 (Mendoza)<br><a href="#">Watch</a>      | <u>Absentee Ballot Mailing</u> to include sample ballot unless previously provided. Enrolled.   |
| AB 119 (Price)<br><a href="#">No position</a> | <u>Election to fill vacancy in State Legislature or Congress</u> . Expenses to be paid by State. Enrolled.  |
| AB 122 (Solorio)                              | <u>Voter intimidation: candidate notification</u> . Enrolled.   |
| AB 183 (Coto)<br><a href="#">Watch</a>        | <u>Requires high school students eligible to register to vote to do so as a condition of graduation</u> unless a statement is submitted that they choose not to register to vote. Enrolled. |

- AB 223 (Runner) Allows a person, called for military service, to request and obtain an absentee ballot after the application deadline has expired 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. Enrolled.
- AB 288 (Price) Voter Intimidation Restitution Fund. Enrolled.
- AB 332 (DeVore) Recall Petition Certification. Chaptered in 51 on 7/12.
- AB 452 (Arambula) Voter Registration: Change in Party Affiliation. Enrolled.
- AB 466 (Hancock) Pupils: Average Daily Attendance: Student Poll Worker. Enrolled.
- AB 603 (Price) Voter Registration: Confidentiality. Chaptered in 234.
- AB 614 (Eng) Voting Rights: Limited English Proficiency. Enrolled.
- AB 701** (De La Torre) Increases City Council member compensation in general law cities for the first time since 1984. Enrolled.
- AB 917 (Salas) Direct Recording Electronic Voting Systems; Additional Ballots at Polls. Enrolled.
- AB 965 (Anderson) California Republican Party: Organization. Chaptered in 60 on 7/12.
- AB 1090 (Spitzer) Ballot Designation Requirement. Enrolled.
- AB 1151 (Lieu) Voter Registration. Enrolled.
- AB 1167 (Nava) Ballots: voting by mail. Enrolled.
- AB 1243 (Karnette) Vote by mail voters. Enrolled.
- 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. Enrolled.
- AB 1393 (Leno) Public Records. This bill was amended considerably and requires **State** agencies with an Internet website to include the words "Public Records Center" on the home page with a link to a records request form or the form itself by July 1, 2009.
- AB 1430 (Garrick) Political Reform Act contribution limitations. Only impacts local jurisdictions if bill conflicts with local ordinance on payments for members, etc. communications. Enrolled.

- 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 17<sup>th</sup> 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.
- 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. Enrolled.
- SB 382 (Oropeza) New Citizens: Voting. Enrolled.
- SB 408 (Oropeza) Petition Circulators: Qualifications. Enrolled.
- SB 439 (Calderon) Recount Procedures: Write-In Candidates. Enrolled.
- SB 512 (Committee) Conflict of Interest Code Filing. Enrolled.
- SB 513 (Committee) Voter & district referenda. Chaptered in 199.
- SB 768 (Corbett) Misuse of Voter Registration Information: Penalties. Enrolled.
- SB 813 (Wiggins) Election Cancellation: Death of Candidate. Chaptered.
- SB 854 (Ridley-Thomas) Student Voter Registration. Enrolled.
- 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 4<sup>th</sup>, 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. Enrolled.

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. 9/6/2007 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.

## LEAGUE OF CALIFORNIA CITIES

The League’s annual conference was held September 5-8 in Sacramento. The City Clerk Department/CCAC swore in new officers on Thursday, September 6<sup>th</sup>.

The General Assembly of the League considered and approved four resolutions including: 1) Renewal of the League Grassroots Network Program; 2) Support for Legislation Relating to Healthy Aging; 3) Work Toward Legislation to Apply 300 Foot Distance Separation for All New Residential Care Facilities; and 4) Work Toward League Representation with the Office of Emergency Services and Homeland Security.

The League established three goals for 2007, which were: 1) eminent domain reform; 2) infrastructure; and 3) housing. Considerable work occurred on all three. First, legislative compromise efforts for eminent domain reform via ACA 8 and companion bill AB 887 failed to pass. It appears competing initiatives measures currently being circulated may be headed for the ballot box. Second, in 2007-2008 California Cities will receive \$550 million of the billion included in Proposition 1B to fund local transportation projects, guaranteeing each city will receive \$400,000 or half of the total allocation amount, whichever is greater. Third, work continued on housing related items including Proposition 1C, Housing & Infrastructure Bond and SB 2, local control on zoning for homeless shelters.

## **CACEO**

Dawn Abrahamson, Fremont City Clerk, is planning on attending their October 12<sup>th</sup> meeting in Sacramento.

## **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	Shalice Reynoso, Buena Park
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
Nanci Lima, LeMoore	JoAnne Cousino, Barstow
Pam Powell, Eureka	Cindy Van Wormer, Fort Bragg
Sue Herbers, Torrance	Pat Hammers, Cathedral City
Eleanor Manzano, Redondo Beach	Barbara McGee, Rialto

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## **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.