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December 18, 1998

Hon. Daniel E. Lungren
Attorney General
1300 I Street, 17th Floor
Sacramento, California 95814

Attention: Ms. Connie Lemus
Initiative Coordinator

Dear Attorney General Lungren:

Pursuant to Elections Code Section 9005, we have reviewed the proposed initiative cited as the "None of the Above" Election Reform Act (File No. SA 98 RF 0021).

This measure would require that all election ballots for certain federal and state offices provide voters with the option of voting for "none of the above" instead of a candidate seeking that elective position. The offices are the President, Vice President, U.S. Senator, Member of the U.S. House of Representatives, Governor, Lieutenant Governor, Attorney General, Controller, Secretary of State, Treasurer, Superintendent of Public Instruction, Insurance Commissioner, Member of the State Board of Equalization, Member of the Assembly, and State Senator. Under the measure, only the votes cast for named candidates would be counted when determining the nomination or election of candidates for those state and federal offices, but the tally of voters selecting none of the above would be reported in official election returns.

Fiscal Effect. This measure could result in minor costs for the state and for county governments to modify their vote-counting and election-reporting procedures as a result of adding the choice of none of the above to candidate election ballots.

Sincerely,

Elizabeth G. Hill
Legislative Analyst

Craig L. Brown
Director of Finance