

September 26, 2007

Hon. Edmund G. Brown Jr.
Attorney General
1300 I Street, 17th Floor
Sacramento, California 95814

Attention: Ms. Toni Melton
Initiative Secretary

Dear Attorney General Brown:

Pursuant to Elections Code Section 9005, we have reviewed the proposed statutory initiative related to presidential electors (A.G. File No. 07-0049).

Major Provisions

Under the Electoral College system to select the U.S. President, each state is assigned a certain number of electors who determine the state's presidential choice. California currently receives 55 electors.

Current Law. Under existing state law, the electors of the political party who receive the highest number of votes statewide are certified as the state's presidential electors. Existing law also provides that electors be given \$10 as compensation for their services and be reimbursed for mileage incurred from traveling between their home and the State Capitol at a rate of \$0.05 per mile.

Proposed Law. This measure alters existing procedures for selection of presidential electors in certain situations. Under the measure, if other states that collectively hold a majority of electoral votes have agreed to certify presidential electors according to the national popular vote winner, the California electors of the political party which received the highest number of votes nationally would be certified as the state's electors. The national popular vote winner would receive all of the electoral votes of participating states. (If there is a tie regarding the national popular vote winner, then the state would certify the presidential electoral slate that received the plurality of votes in the state.) If, alternatively, states holding a majority of electoral votes have not agreed to certify presidential electors according to a national popular vote winner methodology, then the current system of certifying all electors from the political party receiving the highest number of statewide votes would continue. This measure also eliminates the authorization for compensation to electors or reimbursement of their travel expenses.

Fiscal Effect

This measure would eliminate state costs for compensation to electors and reimbursement of their travel expenses every four years. The amount of state savings would be less than \$10,000.

Summary. This measure would have the following fiscal effect:

- Reduced state expenses of less than \$10,000 every four years.

Sincerely,

Elizabeth G. Hill
Legislative Analyst

Michael C. Genest
Director of Finance