

October 2, 2007

Hon. Edmund G. Brown Jr.  
Attorney General  
1300 I Street, 17<sup>th</sup> 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. 07-0052).

### **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 law, each political party selects its slate of presidential electors in accordance with procedures that differ by party. 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, political parties would nominate an elector in each congressional district and two electors on a statewide basis. If a majority of other states have adopted some form of proportional voting for the presidential election, the elector of the political party which received the highest number of votes in each California congressional district would be certified as the state's presidential elector of that district. Similarly, the two electors of the political party which received the plurality of statewide votes would be certified as the statewide electors. If, however, a majority of other states have not adopted some form of proportional voting, 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 require the Secretary of State to survey the process by which presidential electoral votes are allocated in other states every four years. The measure would also eliminate state costs for compensation to electors and reimbursement of their travel expenses every four years. The net fiscal effect would not be significant.

*Summary.* This measure would have the following fiscal effect:

- No significant net fiscal effect.

Sincerely,

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Elizabeth G. Hill  
Legislative Analyst

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Michael C. Genest  
Director of Finance