



CALIFORNIA ASSOCIATION OF CLERKS AND ELECTION OFFICIALS

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May 10, 2017

The Honorable Jose Medina
State Capitol Building, Room 2141
Sacramento, CA 95814

Dear Assembly Member Medina:

The California Association of Clerks and Election Officials Legislative Committee has reviewed **AB 890**, your proposed legislation relating to the California Environmental Quality Act (CEQA) and the local initiative process.

Although the Committee understands that your intent is to ensure that all projects that may have an effect on the environment are thoroughly reviewed before being voted upon by voters, we would like to bring to your attention concerns associated with those provisions mandating local election officials to participate in areas that are historically the responsibility of the proponents of an initiative petition. Specifically, during the discussion of this proposal, the following concerns were raised regarding the election officials role in this proposed process:

- **Elections official as a gatekeeper:** This proposal creates a new duty for the elections official to deliver the proposed measure to the county/city planning department for an environmental review and then requires the elections official to transmit the disposition of the review to the proponent. There are very specific deadlines stated in the bill of 30 days to let the proponent know if the proposal requires a CEQA review and 180 days for the election official to deliver the negative declaration to the proponent to be included in the petition. We are concerned about the ramifications for elections officials should someone in the transmission chain miss a deadline. For instance, if a negative declaration is not delivered in 180 days, or if the county fails to notify the proponent within the 30 days of a CEQA review, what additional duties are imposed on the elections official to ensure that the planning department is following the process?
- **Sequence of the process:** This bill, which adds subsection (d) to existing law, addresses the environmental review by the county/city planning department and the negative declaration is to be a part of the petition that the proponents circulate. Based upon the location of this new requirement, it appears that the environmental review is done after the ballot title and summary and the publication of the Notice of Intention but prior to the creation of the final petition. We are seeking clarification on this timeline.

We would appreciate working with you and your staff to discuss our concerns and draft language that would meet the needs of both voters and election officials. Please feel to contact me at tricia.webber@santacruzcounty.us or (831) 454-2409, or Jill LaVine, Sacramento County Registrar of Voters at lavinej@saccounty.net or (916) 875-6060.

Respectfully,

Tricia Webber

Co-Chair, CACEO Election Legislative Committee
California Association of Clerks and Election Officials

cc: Jessica Peters, Principal Consultant, Assembly Appropriations
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