



COUNTY OF LOS ANGELES
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CONNOR B. McCORMACK
REGISTRAR-RECORDER/COUNTY CLERK

July 2, 2002

TO: Voting Modernization Board (VMB)
John Perez, Chair
Barbara Alby, Vice Chair
Michael Bustamante
Jim Cunneen
Tal Finney

FROM: Conny B. McCormack, Registrar-Recorder/County Clerk, L.A. County *CMC*

REQUESTED ALLOCATION FORMULA FOR PROPOSITION 41 FUNDS

This memo provides follow-up information requested by members of your Board at the June 19th VMB meeting. At that meeting, Santa Clara County's Assistant Executive Officer Pete Kutras introduced a proposal outlining three alternative formulas as a basis for consideration to allocate VMB funds (copy attached). All three proposals recognize the critical situation confronting the nine counties that have been conducting elections with pre-scored punch card voting systems that were recently de-certified and will be legally prohibited from further use beginning with the March 2004 Primary Election. Following Mr. Kutras' presentation, I was called to testify and supported the overall concept advanced by Santa Clara County. During subsequent questioning by your Board, I was asked if Los Angeles County would review the Santa Clara proposals and submit comments on these alternative formulas for VMB consideration.

Grant proposals of all types routinely contain provisions that apportion available funding based on a needs assessment. The federal court order banning the continued use of pre-scored punch card voting systems has placed the de-certified counties in the perilous position of having to procure, install, test and deploy a replacement voting system in less than two years. Even in the best case scenario¹, de-certified counties must still find funding for 25% of voting system replacement costs at a time when counties are struggling with critical budget shortfalls impacting provision of the most basic, life-sustaining services. While other counties may welcome this opportunity to change their voting systems, they have a choice in the matter. The de-certified counties do not.

¹ For example, if de-certified counties were assured receipt of the maximum allowable reimbursement from Proposition 41 funds for voting systems replacement costs (i.e. for hardware/software only as other associated costs related to voter education, system maintenance, etc. are not covered under Prop 41).

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Following examination of the three alternatives presented by Santa Clara County, number three appears to be the least supportable because it is based on preliminary information compiled from pre-applications submitted to the Secretary of State's office by only 45 of 58 counties. As the formal application deadline was set as August 12th, equity would dictate that all counties applying by then should be given consideration.

Of the remaining proposals, formula number two would assure that de-certified counties would receive 75% of the funding needed to meet the replacement system mandate. However, in lieu of that alternative, I am supportive of formula number one as it also recognizes the unique challenge confronting de-certified counties in procuring new voting systems.

Additionally, I would like to take this opportunity to reiterate Los Angeles County's strong opposition to the selection of any formula that is based on the number of precincts or polling places. As data compiled for your Board by the Secretary of State clearly reveals, Los Angeles County has the highest average number of registered voters per precinct (855 compared with the statewide average of 546). Consequently, our County's voters would be unfairly penalized under any system that allots the amount of voting equipment on the basis of the number of precincts/polls rather than the number of voters.

Similarly, Los Angeles County would like to go on record opposing another of the alternatives presented to your Board at the June 19th meeting, i.e. a formula based on voter turnout in the last four statewide election cycles. All counties must make voting equipment procurement decisions based on the highest voter turnout election of the four year cycle which is the November General Election in presidential years. Statewide, there is much less variance in voter turnout among the 58 counties for presidential elections. Perhaps a weighted formula can be devised that in addition to recognizing the plight of the de-certified counties, takes into consideration a combination of the other formulas under consideration: registered voters, eligible voters and county population.

I certainly appreciate the very difficult task you face in determining the formula that will be used for distribution of Proposition 41 funds. If I can be of further assistance in providing additional information to your Board, please do not hesitate to contact me.

Attachment

c: John Mott-Smith, Elections Director, Secretary of State