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ELECTION 2010

Voting laws trail voters' habits

Legislators refuse to change
precinct staffing rules
despite more mail-in ballots

By Ken McLaughlin

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If you don't like crowds and prefer the decibel level of a monastery, we've got a spot for you to spend Election Day today:

Your local polling place.

"It's going to be pretty quiet there," said David Tom, San Mateo County's elections manager.

There are two main reasons: More and more people every year are casting their ballots by mail. And at the same time, an antiquated California law requires counties to staff polling places as if that weren't the case.

The state has decreed that each polling precinct should have no more than 1,000 voters. And even if a huge percentage of people in a given precinct have signed up to become permanent mail-in voters, election officials still have to staff the poll-

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JOSIE LEPE/MERCURY NEWS

Peter Wahju sorts absentee ballots Monday at Santa Clara County's Registrar of Voters Office.

NEED VOTER INFORMATION TODAY?

Phone, online help with absentee ballots, polling places or other questions. **Page A10.**

WHERE TO FIND RESULTS TONIGHT

See full election results tonight at www.mercurynews.com.

Ballots

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ing place as if there were 1,000 potential voters — rather than, say, only 300 who might actually turn up in person.

A minimum of four workers, who each make between \$100 and \$150 per day, are required at each polling place, Tom said.

Since 2005, election officials have tried to push a bill through the Legislature allowing for the new reality that millions of Californians vote by mail. But the bill failed because both Republicans and Democrats opposed it, for different reasons.

Many Democrats opposed the bill — sponsored by Democratic Sen. Debra Bowen, now California's secretary of state — because they believed it would make it less convenient to vote and cut down on the number of Democrats doing so. Republicans objected

because they thought it would encourage even more mail-in voting; many in the GOP believe that gives an advantage to the Democrats, who have a reputation for not going to the polls in person as much as Republican voters.

State Sen. Joe Simitian, D-Palo Alto, pushed through a watered-down version of Bowen's bill in 2008, but Gov. Arnold Schwarzenegger vetoed it along with a raft of other bills in an effort to get legislators to focus on the budget.

Now Simitian's trying again, but some election officials say his bill, SB1342, doesn't go far enough.

Local registrars estimate that making a simple fix in the election code could shave election costs by 20 to 30 percent at a time local governments are cutting police, fire and health care services and laying off workers.

"It's not even so great for poll workers," Tom said. "They're just sitting around doing nothing."

VOTER INFORMATION

Today is Election Day, and polls throughout the state will be open from 7 a.m. to 8 p.m.

If you haven't sent in your mail-in ballot yet, you can bring it to any polling place. During business hours, you also may drop off your ballot at the Santa Clara County government center at 70 West Hedding St. in San Jose; the county registrar's office at 1555 Berger Drive in San Jose; or any of the 15 city halls in the county.

Don't mail the ballot because if it arrives after 8 p.m. today, it's not going to be counted.

For more information, visit the registrar's website at www.sccvote.org or call 408-299-8683.

FOR VOTER INFORMATION IN OTHER COUNTIES:

Alameda County, www.acgov.org/rov, 510-267-8683

San Mateo County, www.shapethefuture.org, 650-312-5222

Santa Cruz County, www.votescount.com, 831-454-2060

San Benito County, www.sbcvote.us, 831-636-4016

Monterey County, www.montereycountyelections.us, 831-796-1499

The situation is even crazier in Santa Clara County, where seven out of 10 voters are registered for permanent mail ballots. That makes for

plenty of quiet polling places around the county.

"There is no common sense in Sacramento," said Gail Pellerin, vice president

of the California Association of Clerks and Election Officials.

Pellerin, who is also Santa Cruz County's elections chief, said legislators are carrying the "convenience" argument way too far.

"Just like Sarah Palin could see Russia from her house, many legislators want to make sure people can see a polling place from their front yard," she quipped.

Pellerin acknowledges the complaints of critics that amending state law to allow for smaller precincts would likely spread out polling places. But, she said, that won't be a great inconvenience to most of the voters who still prefer to cast their ballots the old-fashioned way.

"We're not living in Mayberry anymore," she said. "We used to go to Mildred's house down the street to vote, and it was all sweet and wonderful. But we're living in a different world."

Besides, she said, the over-

whelming number of voters don't even walk to the polls — they drive.

When Simitian three years ago tried to push through a bill similar to Bowen's original bill, he gave up in the face of opposition from both parties.

So he instead created a bill aimed at equalizing the numbers of voters in each district. That, he said, would also fix another situation that vexes voters: When the number of people in a precinct falls below 250, counties can force all voters there to use mail-in ballots.

In an interview late Monday, Simitian conceded that a more sweeping solution like the one Bowen proposed would make more sense because it would save counties hundreds of thousands of dollars each election.

"But," he said, "a more ambitious bill is just not politically viable at this time."

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July 16, 2010

Bill guaranteeing polling stations becomes law

'There Oughta Be a Law' contest winner was co-proposed by Palo Alto resident

by Angela Chen / Palo Alto Online

A bill that guarantees California voters have a place in which to vote on Election Day has been signed into law by Gov. Arnold Schwarzenegger.

Proposed by Palo Alto resident Lynn Silton and presented by State Sen. Joe Simitian (D-Palo Alto), SB 1342 addresses the recent trend of mail-in voting, which has affected the availability of polling stations.

Under current law, people who wish to vote in person must go to a specific polling location designated by their precinct. Precincts cover about 1,000 registered voters, many of whom are permanent mail-in voters and thus do not use the polling areas.

This causes scenarios in which "some voters walk into polling places that are overstaffed and virtually empty, while other voters are waiting in long lines at polling places that have the maximum number of Election Day voters," Simitian said in a statement. "This makes no sense."

In addition, if the number of in-person voters drops below 250 in a precinct, the county eliminates the local polling place completely, forcing voters to either cast their ballot by mail or find a polling station in another precinct.

The new law, which will take effect Jan. 1, 2011, allows election officials to subtract permanent mail-in voters from the precinct's 1,000-voter cap. As a result, officials can redraw precincts to accurately reflect the number of in-person voters and provide Election Day polling stations for everyone.

The idea was first developed by Redwood City resident Dennis McBride, who won Simitian's annual "There Oughta Be a Law" contest in 2007. Though Simitian later turned McBride's idea into a proposal that passed through the state legislature, the bill was vetoed by Schwarzenegger.

This year, Silton co-proposed the bill with McBride for the "There Oughta Be a Law" contest and was one of three winners.

"My concern was that I wasn't getting a choice," Silton said in a March 29 Palo Alto Weekly article. "I don't doubt the honesty of our current registrar, but whenever possible, citizens should be involved in the process."

She traveled to Sacramento twice to testify in favor of the bill.

"I'm hoping that the area where I live will have a polling place again," Silton said.

"I appreciate that the governor was willing to give this idea a fresh look."