

Date of Hearing: August 13, 2013

ASSEMBLY COMMITTEE ON ELECTIONS AND REDISTRICTING

Paul Fong, Chair

SJR 6 (Yee) – As Introduced: February 25, 2013

SENATE VOTE: 24-11

SUBJECT: The Lines Interfere with National Elections Act of 2013.

SUMMARY: Proclaims the Legislature's support for federal legislation that is intended to ensure that voters in elections for federal office do not wait in long lines in order to vote. Specifically, this resolution:

- 1) Makes the following findings and declarations:
 - a) The right to vote is a fundamental right of citizens of the United States;
 - b) It is a fundamental principle of our representative democracy that citizens shall not be required to overcome unreasonable obstacles in order to exercise their right to vote;
 - c) At the presidential election on November 6, 2012, voters in Florida, Virginia, Ohio, and other states waited in line for up to seven hours to cast ballots, and some voters were required to wait in line well after the polls were closed;
 - d) More than 200,000 voters in Florida likely decided not to vote in the election held on November 6, 2012, because of their frustration with long lines;
 - e) United States Senator Barbara Boxer has introduced in Congress the Lines Interfere with National Elections Act of 2013 (LINE Act), which would amend the Help America Vote Act of 2002 (HAVA), to ensure that voters in elections for federal office do not wait in long lines in order to vote;
 - f) The LINE Act would require the United States Attorney General, in consultation with the Election Assistance Commission (EAC), to issue standards by January 1, 2014, regarding the minimum number of voting systems, poll workers, and other election resources needed on election day and during early voting periods to prevent a waiting time of more than one hour at any polling place;
 - g) The LINE Act would require states where a substantial number of voters waited longer than 90 minutes to cast a vote in the presidential election held on November 6, 2012, or any election for federal office held after that date, to comply with a remedial plan to minimize the waiting times of voters and to ensure voters do not face similar delays in the future; and,
 - h) An election system with fair access provides the greatest guard to our rights and liberties.
- 2) Declares that the Legislature of the State of California supports the LINE Act and memorializes Congress to pass, and President Obama to sign, the LINE Act.

EXISTING LAW establishes the EAC, pursuant to HAVA, and provides for it to serve as a national clearinghouse and resource for the compilation of information and review of procedures with respect to the administration of Federal elections.

FISCAL EFFECT: This resolution is keyed non-fiscal by the Legislative Counsel.

COMMENTS:

1) Purpose of the Resolution: According to the author:

On Election Day, voters across our state and nation make their voices heard by electing representatives to best represent their district and its issues. While millions of voters easily casted their votes in the recent presidential election last November, voters in states like Florida, Ohio and Virginia were faced with long lines at polling places. So long, in fact, that in one polling place in Miami, voters waited up to seven hours before finally having their opportunity to vote.

Some states suppress their voters by essentially instituting a “poll tax” on many of their voters, who are often people of color, seniors, and the working poor. For a hotel worker in Florida – who earns \$10 per hour – he or she essentially spent \$50 to \$60 just to vote. No one should have to take off seven hours of work just to participate in our democracy.

This bill urges the United States Congress and the President of the United States to pass Senate Bill 58 – LINE Act of 2013 to ensure that voters have fair access to the election system and our democracy.

2) LINE Act of 2013: On January 22, 2013, Senator Barbara Boxer introduced S. 58, the LINE Act of 2013. Under the provisions of the LINE Act, as introduced, the United States Attorney General, in coordination with the EAC to the extent practicable, would be required to issue standards regarding the minimum number of voting systems, poll workers, and other election resources for each voting site on the day of federal elections and during any period of early voting for federal elections with the goal of ensuring an equal waiting time for all voters in each state and to prevent a waiting time of over one hour at any polling place. States would be required to comply with these standards beginning September 15, 2014. The LINE Act provides that the standards developed by the Attorney General shall take into account factors such as the voting age population in a jurisdiction, voter turnout in past elections, the number of registered voters, the number of voters who registered since the most recent election, census data for the population served by each voting site, the educational levels and socio-economic factors of the population served by each voting site, the needs and numbers of disabled voters and voters with limited English proficiency, and the type of voting systems used.

In addition, the LINE Act requires the United States Attorney General, in coordination with the EAC to the extent practicable, to identify jurisdictions in which a substantial number of voters waited more than 90 minutes to cast a vote in the November 6, 2012 general election, or any election for federal office held on or after that date. Jurisdictions so identified by the

Attorney General would be required to comply with a remedial plan, developed by the Attorney General, designed to minimize the waiting times of voters in the jurisdiction.

REGISTERED SUPPORT / OPPOSITION:

Support

None on file.

Opposition

None on file.

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