

Date of Hearing: April 17, 2012

ASSEMBLY COMMITTEE ON ELECTIONS AND REDISTRICTING

Paul Fong, Chair

AB 2572 (Furutani) – As Amended: March 19, 2012

SUBJECT: Los Angeles Community College District: governing board elections.

SUMMARY: Eliminates a requirement that a run-off election be conducted for a seat on the governing board of the Los Angeles Community College District (LACCD) if no candidate for that seat receives more than 50 percent of the total votes cast in the primary election.

Specifically, this bill:

- 1) Requires members of the governing board of the LACCD to be elected at-large and by individual seat number.
- 2) Provides that, commencing with the 2013 election for the governing board of the LACCD and each election thereafter, upon certification of the election, the candidate with the highest number of votes for an individual seat number shall be deemed the candidate elected for that individual seat number.
- 3) Makes legislative findings and declarations as to the necessity of a special statute for the LACCD.

EXISTING LAW:

- 1) Creates the California Community Colleges (CCC), a postsecondary education system consisting of 72 community college districts and establishes the Board of Governors of the CCC to serve as the administrative authority over CCC throughout the state.
- 2) Establishes community college districts, each under the administration of a governing board.
- 3) Requires members of the governing board of the LACCD be elected at-large and establishes seat numbers for board member elections. Members hold office for four years. Provides that elections are held every two years, falling in the odd numbered years beginning in 1969, and alternating between office numbers 1, 3, 5, and 7 and office numbers 2, 4, and 6. Provides that primary elections are held the first Tuesday in April of every odd-numbered year, and general elections are held the last Tuesday in May of every odd-numbered year.

FISCAL EFFECT: Unknown. State-mandated local program; contains reimbursement direction.

COMMENTS:

- 1) Purpose of the Bill: According to the author:

Under current law, the Los Angeles Community College District is required to have its elections coincide with the city of Los Angeles. If a candidate receives less than 50% of the vote in the initial election, then the district must hold a run-off for the top two vote-

getters. The requirement for a primary and a run-off has created a significant financial burden for the Los Angeles Community College District. The process of holding an additional election has reduced the district's resources that would otherwise go toward meeting its core mission of serving students and the community.

Enactment of this bill would eliminate the requirement that the Los Angeles Community College District conduct a run-off election if no candidate receives more than 50% of the vote. The change would save the district \$3 million to \$5 million every two years. The savings could be redirected to the district's core mission of serving students.

2) Argument in Support: The Los Angeles Community College District writes in support:

The bill would eliminate the costly runoff election for the Board of Trustees of the Los Angeles Community College District and would instead make the candidate with the highest number of votes the winner.

Currently, the Los Angeles Community College District must hold an additional election if a candidate running for a seat on the board receives less than 50% of the votes cast. The requirement that this additional election be held costs the district between \$3 million and \$5 million every two years. This is the equivalent of not being able to educate 1,500 students every two years because of the need to hold an additional election. The process of a primary and a runoff has created a significant financial burden for the district which redirects resources away from its core mission of serving students and the community. The additional funding required to run this election is particularly burdensome in these tight budget years.

3) Board of Trustee Elections: Under current law, the LACCD board consists of seven members who are elected at-large from individual seat numbers for terms of four years. Elections are held every two years, with three members being chosen at one election and four members at the other. If no candidate receives 50 percent or more of the total votes cast, the two candidates receiving the most votes advance to a run-off election.

Under this proposal, elections for the LACCD Board will be conducted as one single election without a run-off. The candidate receiving the highest number of votes for an individual seat number is deemed the winner of the seat even if he or she receives less than 50 percent of the total votes cast.

4) Cost vs. Benefits of Run-offs: It is not unusual for local run-off elections to be the only race on the ballot. Voter turn-out for local run-off elections may be low, with the election being decided by a small number of voters. At a time when local jurisdictions are struggling to meet their financial needs against reduced revenues, significant cost savings may be realized by eliminating run-off elections for seats on the LACCD board and putting the resources that would otherwise used for the run-off election towards educational priorities.

The LACCD covers a large geographical area and their elections are conducted at-large. The entire community votes for all elected positions rather than by district. Within large geographic areas small communities may exist with like interests and needs. These communities may only be familiar with one candidate on the ballot who represents the issues

they find important. If their preferred candidate does not receive the plurality of the vote under this proposal they will not continue to a run-off election even if they receive the second highest number of votes in the election. Eliminating the run-off election may prevent a candidate with significant community support, yet who only acquired the second highest number of votes in the election, from representing his or her community.

The LACCD believes that by eliminating run-off elections they can save between \$3 million to \$5 million every two years which can then be directed to their core mission of serving students and the community as a whole. According to their estimates, 1,500 additional students can be served with the money saved by eliminating the run-off elections. Do the financial savings created by eliminating a run-off election outweigh the benefits of allowing the community to voice their preference between the two highest vote getters at the ballot box?

- 5) State-Mandated Local Program: Due to the fact that this bill is sponsored by the LACCD and they are requesting legislative authorization to change the method of their governing board elections, the author may want to consider amending the bill to provide that any state mandate established by this bill is not a reimbursable mandate, in accordance with Section 17556 of the Government Code, because it comes at the request of the local affected agency.

REGISTERED SUPPORT / OPPOSITION:

Support

Los Angeles Community College District

Opposition

None on file.

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