



Green Party of California

PO Box 417332, Sacramento, CA 95841 www.cagreens.org (916) 448-3437

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Dear Assembly Elections Committee

The Green Party of California unconditionally opposes ACA9, as a backwards step for democracy in California.

The passage of Proposition 14 led to the fewest number of candidates on the ballot in 2012 from California's smaller parties than at any time since 1966, when only the Democrats and Republicans were on the ballot (<http://www.ballot-access.org/2012/03/10/number-of-california-minor-party-candidates-slumps-to-lowest-level-since-1966/> , <http://ivn.us/opinion/2013/03/12/making-proposition-14-fair-to-minor-parties-candidates/>), The resultant lack of diversity from Proposition 14 robs voters of political choice and leaves important perspectives voiceless.

ACA9 would make that worse, by eliminating one of the only routes to the general election ballot still available to five of California's ballot qualified parties.

The argument that ACA is justified because it would carry-forward a prior 1% write-in primary threshold and therefore ACA9 would have 'limited impact' is fallacious. The past 1% threshold was discriminatory against California's smaller parties whose membership was not large enough to practically reach the write-in requirement, and should have been modified to be a percentage of the registered party members in the electoral district in which a candidate was running (attachment #1).

But at that time, these same parties still had guaranteed general election ballot via the primary election ballot, which it utilized 99% of the time. Now that Proposition 14 has effectively taken that away that route, the only route to the ballot is via the write-in option in place today. That means the practical effect of ACA9 is to suffocate the remaining gasps of diverse political voice in the state.

In your hearing materials, it states that the six candidates who made the 2012 general election ballot via the write-in route received 13% to 36% of the general election ballot, but under ACA9, would not have been on the ballot. Does that mean that 13% to 36% of the voters don't matter? In most OECD countries with which the U.S. is compared, 13% to 36% of the

vote would mean 13% to 36% of the seats in parliament. Here is doesn't mean any seats. Should it also mean no voice?

Rather than further restricting voter choice, the GPCA is on record that Proposition 14 should be amended to restore write-in votes in general elections, a right we'd had pre-statehood, since the founding of the California Republic.

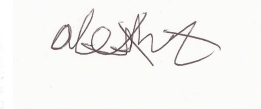
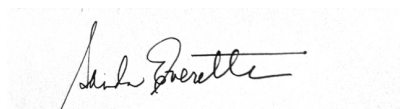
Putting ACA9 on the ballot instead would give impression that Proposition 14 works, and only needs tinkering to further minimize political voice and give the impression that the false general majorities rendered by Proposition 14 are valid.

The Green Party believes Proposition 14 has already proved to be the failure that many predicted. Not only is it moving fast to eliminate California's smaller parties, but Proposition 14 has made elections more expensive, provided less overall voter choice (<http://articles.latimes.com/2012/oct/24/opinion/la-oe-smith-california-top2-elections-20121024>) and done little to make elections more representatives or competitive. At the same time, its crap-shoot nature (<http://www.sacbee.com/2012/08/04/4691217/top-two-primary-hurt-competition.html>) leads to widely unrepresentative results such as in CD31, a 49% Latino liberal, left-leaning district, where four Democrats split the vote, leading to two white male Republicans on the general election ballot. (<http://www.sacbee.com/2012/11/16/4990045/california-electoral-reform-fails.html>)

For the long run, the Green Party believes Proposition 14 should be overturned and instead of our current undemocratic and unrepresentative winner-take-all electoral system, that elections to the legislature and Congress be changed to a system of multi-seat districts proportional representation, where the diverse voices in our society all have a seat at the table, and after which we can operate by majority rule.

For all of these reasons, the Green Party of California unconditionally opposes ACA9 and urges you to oppose this ill-conceived deform of our electoral system.

Sincerely



Sanda Everette Alex Shantz
Co-coordinators, state Coordinating Committee
Green Party of California www.cagreens.org/committees/coordinating

Attachment: Discriminatory nature to smaller parties of the prior 1% threshold

The Green Party did an analysis of the 2004 elections (attached) and found that it was mathematically impossible in 49 out of 80 State Assembly Districts for any Green to receive enough write-in votes to advance, even if 100% of the Greens voted in the primary, because there simply weren't enough party members in the district to meet the threshold.

In the other 31 districts, 15 would have required a Green turnout of 75%. Only nine were below 50%, and turnout in most primaries is 20% to 35%.

Had the previous threshold been fair, it would have been a proportion of the party's membership, not of the previous general election vote, as it involved a party's internal nomination, not a reflection of the general electorate.

Even in districts where there was a mathematical possibility and an extraordinary effort is made to turn out such a write-in vote, there is the issue of successfully executing write-ins, especially for voters who are doing this for the first-time. In the March 2004 Green Party primary, Green Congressional candidate Terry Baum needed 1,605 write-ins under this rule to make the General Election ballot. After a major Green organizing effort, she received over that number, but 229 of her write-ins were voided because the voter who wrote her in, did not also check the box next to the write-in line, demonstrating that voter's intent is not easily reflected in write-in voting and how difficult such a project is.

	Total Registered Voters	Total Votes Cast for Seat in Last General Election	Minimum Number of Write-in Votes Necessary to Win Green Nomination	Total Green members in District	Percentage of Green Voters Needed to Write-in Candidate for Candidate to be Successful
State Assembly 1	243,248	195,561	1,955	9,575	20.40%
State Assembly 2	227,160	178,294	1,782	1,306	136.45%
State Assembly 3	244,250	188,294	1,882	4,363	43.14%

State Assembly 4	267,476	210,113	2,101	2,289	91.79%
State Assembly 5	241,349	174,129	1,741	1,996	87.22%
State Assembly 6	236,394	204,867	2,048	5,837	35.09%
State Assembly 7	205,322	168,216	1,682	3,225	52.16%
State Assembly 8	195,309	161,013	1,610	2,128	75.66%
State Assembly 9	176,050	116,712	1,167	2,571	45.39%
State Assembly 10	237,225	160,949	1,609	1,410	114.11%
State Assembly 11	196,730	143,512	1,435	1,464	98.02%
State Assembly 12	209,819	144,363	1,443	4,168	34.62%
State Assembly 13	248,168	181,743	1,817	9,326	19.48%
State Assembly 14	243,277	182,347	1,823	7,835	23.27%
State Assembly 15	273,504	204,788	2,047	1,447	141.05%
State Assembly 16	204,487	143,195	1,431	5,530	25.88%
State Assembly 17	177,176	110,592	1,105	590	186.78%
State Assembly 18	191,608	127,270	1,272	1,553	81.84%
State Assembly 19	218,831	160,255	1,602	2,450	65.39%
State Assembly 20	182,550	127,838	1,278	1,125	113.60%
State Assembly 21	235,569	190,120	1,901	2,418	78.62%
State Assembly 22	180,628	130,307	1,303	1,626	80.13%
State Assembly 23	145,408	93,217	932	1,050	88.77%
State Assembly 24	213,863	158,483	1,584	1,749	90.57%
State Assembly 25	231,593	163,342	1,633	1,595	102.38%
State Assembly 26	194,451	125,305	1,253	710	176.48%
State Assembly 27	231,645	188,486	1,884	5,671	33.22%
State Assembly 28	147,932	106,843	1,068	817	130.72%
State Assembly 29	206,288	152,693	1,526	1,011	150.94%
State Assembly 30	122,153	78,037	780	216	361.11%
State Assembly 31	132,406	86,234	862	610	141.31%
State Assembly 32	224,902	164,640	1,646	679	242.44%
State Assembly 33	222,022	177,461	1,774	2,394	74.10%
State Assembly 34	160,827	116,968	1,169	698	167.48%
State Assembly 35	208,794	173,528	1,735	3,200	54.22%
State Assembly 36	196,520	134,960	1,349	664	203.16%
State Assembly 37	233,850	182,096	1,820	170,800	106.56%
State Assembly 38	236,719	174,581	1,745	1,272	137.19%
State Assembly 39	109,015	72,953	729	522	139.66%
State Assembly 40	165,820	119,744	1,197	1,072	111.66%
State Assembly 41	235,053	178,823	1,788	2,326	76.88%
State Assembly 42	239,186	190,091	1,900	2,160	87.96%
State Assembly 43	179,674	122,954	1,229	1,607	76.48%
State Assembly 44	210,341	161,834	1,618	1,707	94.79%
State Assembly 45	118,424	81,751	817	1,545	52.88%
State Assembly 46	83,941	52,407	524	496	105.65%
State Assembly 47	202,285	146,710	1,467	1,655	88.64%
State Assembly 48	120,841	76,622	766	582	131.62%

State Assembly 49	138,899	94,365	943	615	153.33%
State Assembly 50	114,572	75,918	759	440	172.50%
State Assembly 51	157,171	106,450	1,064	682	152.49%
State Assembly 52	117,786	59,923	599	395	151.65%
State Assembly 53	239,138	188,631	1,886	2,261	84.41%
State Assembly 54	219,807	168,232	1,682	1,994	84.35%
State Assembly 55	161,611	110,394	1,103	664	166.11%
State Assembly 56	167,165	111,853	1,118	582	192.10%
State Assembly 57	152,449	106,354	1,063	575	184.87%
State Assembly 58	164,754	115,072	1,150	649	177.20%
State Assembly 59	233,291	170,693	1,706	1,401	121.77%
State Assembly 60	223,985	158,303	1,583	794	199.37%
State Assembly 61	141,144	91,401	914	582	157.04%
State Assembly 62	139,704	79,617	796	390	204.10%
State Assembly 63	215,339	143,699	1,436	1,017	141.20%
State Assembly 64	222,109	157,726	1,577	1,036	152.22%
State Assembly 65	221,597	152,130	1,521	881	172.64%
State Assembly 66	210,910	147,758	1,477	853	173.15%
State Assembly 67	252,260	168,773	1,687	1,628	103.62%
State Assembly 68	205,862	129,059	1,290	1,229	104.97%
State Assembly 69	115,037	62,797	627	508	123.42%
State Assembly 70	272,124	184,701	1,847	1,651	118.87%
State Assembly 71	246,820	175,698	1,756	972	180.66%
State Assembly 72	207,563	136,814	1,368	1,168	117.12%
State Assembly 73	222,926	159,101	1,591	1,318	120.71%
State Assembly 74	222,641	172,900	1,729	1,654	104.53%
State Assembly 75	237,187	181,750	1,817	1,298	140.00%
State Assembly 76	230,701	172,839	1,728	3,090	55.92%
State Assembly 77	217,662	164,748	1,647	1,178	139.81%
State Assembly 78	211,629	156,743	1,567	1,125	139.29%
State Assembly 79	141,430	92,176	921	756	121.82%
State Assembly 80	175,056	114,074	1,140	452	252.21%