



July 17, 2023

VIA EMAIL

The Honorable San Francisco
Board of Supervisors
1 Dr. Carlton B. Goodlett Place
City Hall, Room 244
San Francisco, CA 94102

John Arntz, Director
San Francisco Department of Elections
1 Dr. Carlton B. Goodlett Place
City Hall, Room 48
San Francisco, CA 94102

The Honorable London Breed
Mayor of San Francisco
1 Dr. Carlton B. Goodlett Place
City Hall, Room 200
San Francisco, CA 94102

David Chiu, City Attorney
Office of the City Attorney
City Hall, Room 234
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

**RE: OPPOSE – Proposed ordinance File # 230663 Municipal Elections Code -
Supporters and Opponents in Ballot Questions for Local Measures**

Dear Supervisors, Mayor Breed, Director Arntz, and Mr. Chiu,

The League of Women Voters of San Francisco writes to strongly oppose the ordinance that would amend the Municipal Elections Code to opt out of state law that would require a short list of supporters and opponents of each local ballot measure to be shown on the ballot (File # 230663) being considered by the Board of Supervisors at its meeting on July 18, 2023.

The League supports an informed, active electorate, and we believe that voters should be provided with relevant, accurate, and easily understandable information about elections. The League strongly supported the [2021-2022 State Assembly Bill 1416 \(AB 1416\)](#)¹ to give more information directly to voters and empower them to make better informed choices. AB 1416 was passed into law as [Section 9170 of the California Elections Code](#)².

Educated and informed voters are the key to our democracy. A list of support and opposition on the ballot will provide San Francisco voters with accessible and concise, yet salient information that can help them make more informed decisions.

Empowering voters. Defending democracy.

League of Women Voters of San Francisco

582 Market Street, Suite 615, San Francisco, CA 94104 • 415-989-8683 • lwvsf@lwvsf.org • lwvsf.org

Research shows that Californians support increased transparency on ballots. A [poll by the nonpartisan Clean Money Campaign](#)³ before the November 2020 election found 79% of California voters want to know who supports and opposes ballot measures, but they're not confident they know this information or can find it easily. The poll also showed 75% of those voters favor adding a short list of supporters and opponents of each measure on the ballot itself – precisely what Section 9170 of the California Elections Code addresses.

While we appreciate that support and opposition is listed in the San Francisco Voter Information Pamphlet, that is an extremely long document, making it difficult for San Francisco voters to find the support and opposition information they want to know. As a recent example, in an [interview with ABC7 News](#)⁴, Director Arntz described the November 2022 Voter Information Pamphlet as “rather large, it’s over 250 pages which is one of the biggest, most pages we’ve had for a pamphlet in the city’s history.”

By listing support and opposition on the ballot, critical information about who is behind a ballot measure will be readily available on the ballot itself.

For these reasons and more, **the League strongly opposes San Francisco permanently opting out of Section 9170 of the California Elections Code.**

Thank you for your public service, hearing our concerns, and the opportunity to speak about ways to ensure that San Franciscans have the information and confidence they need to participate in our democracy.

We’re available to speak with you about these issues. Please do not hesitate to contact us.

Sincerely,



Alison Goh
President
League of Women Voters of San Francisco
president@lwvsf.org

CC: San Francisco Elections Commission; Elections Commission Clerk Marisa Davis; Board of Supervisors Budget and Appropriations Committee Clerk Brent Jalipa.

¹ https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220AB1416

² https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=ELEC§ionNum=9170.

³ https://www.yesfairelections.org/content/pdf/ccmc_ab1416_twopager.pdf

⁴ <https://abc7news.com/2022-midterm-election-san-francisco-early-voting-center-open/12315511/>



Helping achieve an open and accountable government

July 17, 2023

San Francisco Board of Supervisors
Via Email

RE: FILE NO. 230663 -- Oppose

Dear Members of the Board of Supervisors:

As sponsor of AB 1416 (Santiago-Chiu-Gonzalez) the *Ballot DISCLOSE Act*, we would like to respectfully request that you not pass the ordinance in File No. 230663 to opt out of AB 1416's addition of short lists of supporters and opponents from the ballot arguments to the ballot for local measures.

San Francisco City Attorney David Chiu was one of the authors of AB 1416, and all three San Francisco legislators voted in favor of the bill. The legislature passed it because, as declared in its findings, *"the identity of those who support and oppose a ballot measure provides voters with extremely important information that helps voters better evaluate and understand the value of the measure and to make more informed decisions on how to vote."*

We hope none of you disagree with that. However, the ordinance in File No. 230663 would deprive voters of precisely that information on local measures in the one place every voter would see it.

The finding in (f) of the proposed ordinance says this would be of *"minimal added benefit to voters in light of the information the Department of Elections already provides in the voter information pamphlet."* However, our polling found that although 79% of likely California voters said it was important to them to know who supports and opposes ballot measures when they vote, only 21% said they were very confident that they know them when they vote.¹

Worse, 22% of voters say they didn't even know they could find supporters and opponents in the voter guide or where to find them in it.¹ And it's even harder for voters in San Francisco due to the extraordinary length of the San Francisco's Voter Information Pamphlet (VIP) — 239 pages long for the November 2022 general election. Chances are very low that all voters will find and absorb this crucial information that's sprinkled throughout the long and complex text in San Francisco's VIP.

The proposed ordinance's findings cite the Director of Elections' estimate that complying could cost in excess of \$1 million.² The stakes of voters not knowing who really supports and opposes local ballot measures is far, far higher. Nearly every election has multiple ballot measures that decide the fate of tens or hundreds of millions of dollars in revenue or costs for the City. Even one of those measures failing because voters don't know where trusted organizations and leaders stand — or a costly measure passing because voters don't know who is against it — costs San Francisco orders of magnitude more than \$1 million.

¹ Poll of 661 likely Nov. 2020 voters by California Clean Money campaign run from 7/22-8/22/2019.

http://www.caclean.org/content/pdf/reports/sb90_poll_results.pdf

² Although there's no doubt that in some elections including supporters and opponents for local ballot measures will require an additional ballot page, it's not obvious that will be case in the 2024 or in every following election. On many ballots there is significant unused space left on the ballot pages that should be able to fit the maximum of 273 characters that AB 1416 adds to each local measure ballot label (the words "Supporters:" and "Opponents:" plus a max 125 characters for each list), which AB 1416 allows to use smaller font if needed to save a page.

One good example is Proposition A from the June 2022 ballot. This measure would have authorized \$400 million in bonds to fund public transportation and streets. It failed to reach its required 2/3 vote by 1.56% despite being supported by the mayor, every member of the Board of Supervisors, and almost the entire spectrum of trusted San Francisco organizations. However, many voters who were unaware of or didn't comb through and remember the 124-page June 2022 VIP likely didn't know that. If every voter had seen on the ballot a short list of the most trusted organizations and leaders that supported Prop A — as AB 1416 would ensure if you don't opt out — the outcome could easily have been different.

This example shows the potential for severe unintended costs of opting out. It not only denies voters ready access to information they want when they're voting, but by doing so it means that many voters will make less informed decisions that could end up costing San Francisco far more than it saves.

Perhaps just as bad is the confusion that might result if voters see supporters and opponents on the ballot for state measures but not local measures. As the California Association of Clerks and Elections Officials, representing California's registrars of voters, said in a 2019 letter about an earlier version of AB 1416 (SB 636 of 2019) that would have applied to only state measures and not local measures:

"...we believe this disparate treatment will lead to voter confusion. Voters do not see much of a difference between state propositions and local measures and they appear directly next to one another for ballot layout purposes. Elections officials will be contacted to answer who are the supporters and opponents for the local contests, diverting resources away from performing election duties."

These reasons are why AB 1416, amended to default to also require local measures to list supporters and opponents, was supported by a long list of good-government and activist groups including the League of Women Voters of California, California Common Cause, California Environmental Voters, CALPIRG, Indivisible, Public Citizen, and many others — including all of San Francisco's legislators.

The counties of Santa Clara, Los Angeles, and Orange County, among others, have decided not to opt out because they believe it's important that state and local measures be treated consistently, and that voters have this powerful transparency for both. We hope you also value these goals enough not to opt out.

For all these reasons, we respectfully request that you vote "No" on the proposed ordinance in File No. 230663. Or, if you decide there is enough of a budget emergency that San Francisco absolutely can't afford the potential costs in the budget for fiscal years FY 2023-24 and 2024-25, that you amend the ordinance to apply to only to them, and not future years.

At a minimum, we request that you schedule a new public hearing to consider the matter and allow sufficient notice for the public to weigh in. An ordinance with such far-reaching policy ramifications should have a full 30 days before the committee hearing. Waiving the 30-day rule meant that even the Elections Commission wasn't able to discuss the ordinance before the Budget & Appropriations Committee's vote, nor was most of the public even aware of it before the hearing happened.

Sincerely,

David Schmidt
San Francisco Coordinator
California Clean Money Campaign

From: [Peter Gallotta](#)
To: [Ronen, Hillary](#); [RonenStaff \(BOS\)](#); [ChanStaff \(BOS\)](#); [Stefani, Catherine \(BOS\)](#); [Peskin, Aaron \(BOS\)](#); [EngardioStaff \(BOS\)](#); [Preston, Dean \(BOS\)](#); [DorseyStaff \(BOS\)](#); [MelgarStaff \(BOS\)](#); [MandelmanStaff, \(BOS\)](#); [Waltonstaff \(BOS\)](#); [Safai, Ahsha \(BOS\)](#); [StefaniStaff, \(BOS\)](#); [PeskinStaff \(BOS\)](#); [SafaiStaff \(BOS\)](#); [Walton, Shamann \(BOS\)](#); [Mandelman, Rafael \(BOS\)](#); [Melgar, Myrna \(BOS\)](#); [matt.dorsey@sfgov.rog](#); [PrestonStaff \(BOS\)](#); [Engardio, Joel \(BOS\)](#); [Chan, Connie \(BOS\)](#); [Jalipa, Brent \(BOS\)](#)
Subject: Asking for amendment to File # 230663, opting out of Supporters and Opponents in Ballot Questions for Local Measures
Date: Monday, July 17, 2023 11:14:19 PM
Attachments: [Letter re proposed ordinance File # 230663 File # 230663 Peter Gallotta.pdf](#)

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Dear Supervisors,

I'm reaching out in my personal capacity as Vice Chair of the San Francisco Democratic County Central Committee (SFDCCC) and the lead sponsor of an [SFDCCC adopted resolution](#) in support of AB 1416 (The Ballot Disclose Act), which allows counties to list the supporters and opponents of local ballot measures on the ballot itself.

The San Francisco Democratic Party supported AB 1416 because we believe, along with a number of good government groups, that it is vital that the ballot itself list some of the most important information that voters care about: who supports or opposes ballot measures. AB 1416 was jointly authored by then-Assemblymember David Chiu and supported by our entire San Francisco state delegation.

AB 1416 not only requires proponent and opponent disclosure for state ballot measures, but it also gives counties the ability to implement this disclosure for local measures. Los Angeles, Orange, and Santa Clara counties have all committed to implementing this locally. San Francisco should be amongst them.

As proposed, Item #19 (File # 230663) on the July 18th Board of Supervisors meeting agenda would take the unfortunate step of having San Francisco permanently opt out of implementing this crucial information for local ballot measures. Not only would that deprive voters who are unable to read and absorb all of San Francisco's 200+ page voter information pamphlets of information they need to make better decisions, but it could end up costing San Francisco significantly more when voters reject local measures they might vote for if they knew who supported it.

For example, Prop A, which appeared on the June 2022 ballot, would have provided \$400 million in bond funds for public transportation. Though it was supported by the Mayor, every Supervisor, and numerous trusted San Francisco organizations, it fell short by the needed 2/3 by 1.56%.

If even 2% of voters who hadn't been able to read the voter pamphlet saw the most important trusted leaders and organizations who supported Prop A on the ballot when they were voting, it might have passed. Its failure was a far bigger financial loss than the potential \$1 million in extra printing costs to list the names of proponents and opponents on the ballot.

San Franciscans deserve greater transparency and access to information as they vote, which is

why **I am urging the Board of Supervisors to consider bringing forward an amendment that would make opting out of Section 9170 of the California Elections Code temporary and *only* applicable to fiscal years FY 2023-24 and 2024-25.** This would prevent permanently denying voters access to this important information on the ballot and allow the Board, the Mayor, and the Department of Elections the opportunity to move forward implementation of this good government policy in the next budget cycle.

Thank you for considering this request and continuing to be champions of free and fair elections in our city.

Sincerely,
Peter Gallotta
Vice Chair, San Francisco Democratic Party

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Peter K. Gallotta
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tel: 415.518.9054
Pronouns: he, him, his
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July 17, 2023

SUBJECT: Asking for amendment to File # 230663, opting out of Supporters and Opponents in Ballot Questions for Local Measures

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Thank you for considering this request and continuing to be champions of free and fair elections in our city.

Sincerely,

Peter Gallotta
Vice Chair, San Francisco Democratic Party