

OFFICERS 2008-2010

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VICE PRESIDENT
Santa Cruz County

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Shasta County

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SECRETARY
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Colusa County

DOLORES PROVENCIO
Imperial County

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Mendocino County

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San Luis Obispo County

KAY VINSON*
City Clerk, Murietta
* non-voting member

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Contra Costa County

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Lassen County

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Sacramento County

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LEGISLATIVE COMMITTEES

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Los Angeles County

JOHN MCKIBBEN
Los Angeles County

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Colusa County

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Sonoma County

ELECTIONS:

JILL LA VINE
Sacramento County

DEBORAH SEILER
San Diego County



CALIFORNIA ASSOCIATION OF CLERKS AND ELECTION OFFICIALS

Rebecca Martinez, President
Madera County Clerk-Recorder
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March 18, 2009

Assembly Member Noreen Evans
State Capitol
P.O. Box 942849
Sacramento, CA 94249-0007

Dear Assembly Member Evans:

The California Association of Clerks and Election Officials Elections Legislative Committee has reviewed **AB 1337** (as introduced February 27, 2009), defining the term "electioneering," and has adopted a position of **Support, if amended** to expand the definition to include visual, oral or written communication. Without these additions, we fear it would be easy to circumvent the intent with a personal recording device or a radio playing political messages. Further, as the prohibition against electioneering appears in Elections Code section 18370, we didn't feel it was necessary or appropriate to have the limitations included in the definition itself. Suggested wording appears below.

319.5. "Electioneering" means ~~the bringing of any readily visible~~ written, or audible information ~~into a polling place, an elections official's office, a satellite location under Section, 3018 or within 100 feet of a polling place, an elections official's office, or a satellite location,~~ that advocates for or against any candidate or measure on the ballot. Prohibited information includes, but is not limited to, political messages written on buttons, hats, pencils, pens, shirts, signs, and stickers, or political messages played from a personal recording device, radio, or delivered in any other audible manner.

18370. No person, on election day, or at any time that a voter may be casting a ballot, shall, within 100 feet of a polling place, a satellite location under Section, 3018, or an elections official's office:

- (a) Circulate an initiative, referendum, recall, or nomination petition or any other petition.
- (b) Solicit a vote or speak to a voter on the subject of marking his or her ballot.
- (c) Place a sign relating to voters' qualifications or speak to a voter on the subject of his or her qualifications except as provided in Section 14240.
- (d) Do any electioneering as defined by Section 319.5 .

As used in this section, "100 feet of a polling place or an elections official's office" means a distance 100 feet from the room or rooms in which voters are signing the roster and casting ballots. Any person who violates any of the provisions of this section is guilty of a misdemeanor.

If you have any questions, please feel free to contact me at the Sonoma County Clerk-Recorder-Assessor's Office (707-565-1876).

Very truly yours,

Janice Atkinson
Correspondence Secretary
California Association of Clerks
and Election Officials

- c: Assembly Member Paul Fong, Chair, Assembly Committee on Elections and Redistricting
- Senator Loni Hancock, Chair, Senate Committee on Elections, Reapportionment and Constitutional Amendments
- Deborah Seiler, Co-Chair, CACEO Elections Legislative Committee
- Jill Lavine, Co-Chair, CACEO Elections Legislative Committee
- Barry Brokaw, Sacramento Advocates