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* non-voting member

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Sacramento County
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San Diego County



CALIFORNIA ASSOCIATION OF CLERKS AND ELECTION OFFICIALS

GAIL L. PELLERIN, PRESIDENT

Santa Cruz County Clerk
701 Ocean St., Room 210, CA 95060
831-454-2419 * Fax 831-454-2445 * Cell 408-316-9745
E-Mail: gail.pellerin@co.santa-cruz.ca.us
Website: www.caceo58.org

August 2, 2011

The Honorable Felipe Fuentes, Chair
Assembly Appropriations Committee
California State Assembly
State Capitol, Room 3056
Sacramento, CA 95814

Dear Chairman Fuentes:

The Elections Legislative Committee of the California Association of Clerks and Election Officials (CACEO) has reviewed **SB 199 (Correa, as amended May 24, 2011)** and would like to share concerns relating to this proposal. This proposal would require the county elections official, on behalf of vote by mail voters registered in other counties in California, to deliver their out-of-county vote by mail ballots turned in at the polls to the county elections official who issued the ballot.

In a March letter to the author, Senator Correa, the Committee indicated that a number of potential unintended consequences; and, while election officials are aware that a small percentage of voters are not properly returning their ballot to their home county, the following issues were identified:

- ★ it takes days to weeks to go through all precincts' materials to identify and retrieve out-of-county vote by mail ballots. Each precinct's materials must be methodically logged to maintain an audit trail. With the ever-growing number of vote by mail voters and the significant percentage who turn their ballots in at the polls, the time needed to retrieve these out-of-county ballots from election night materials is significant;
- ★ once voters learn that ballots will be forwarded to their home county on their behalf, a significant increase in out-of-county vote by mail ballots can certainly be expected. College and University campuses with large numbers of out-of-county students would undoubtedly generate more out-of-county ballots, let alone generate confusion for out-of-state voters who do not share the same benefit;
- ★ election officials in large counties or those with high percentages of vote by mail ballots are barely meeting the statutory deadline for the completion of the canvass as more and more voters are waiting until the last minute to return their vote by mail ballot. Retrieving vote by mail ballots during the canvass process could require an extension of the official canvass;
- ★ smaller counties often complete their canvass shortly following the election. Would these counties be required to delay the certification of their election(s) and/or re-open the canvass if a ballot was forwarded from another county?

Please consider our concerns regarding SB 199. If you or your staff have any questions, please do not hesitate to contact me at the Monterey County Elections Department, at (831) 796-1499.

Very truly yours,

Linda Tulett
Correspondence Secretary
California Association of Clerks and Election Officials

c: Senator Lou Correa, Author
Deborah Seiler, Co-Chair, CACEO Elections Legislative Committee
Jill Lavine, Co-Chair, CACEO Elections Legislative Committee
Barry Brokaw, Sacramento Advocates