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**CALIFORNIA ASSOCIATION OF
CLERKS AND ELECTION OFFICIALS**

Rebecca Martinez, President
Madera County Clerk-Recorder
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* non-voting member

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ELECTIONS:

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Sacramento County

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San Diego County

March 18, 2009

Assembly Member Mariko Yamada
State Capitol
P.O. Box 942849
Sacramento, CA 94249-0008

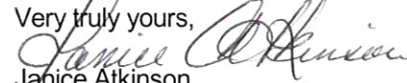
Dear Assembly Member Yamada:

On March 13, 2009, the California Association of Clerks and Election Officials Elections Legislative Committee reviewed **AB 1228** (as introduced February 27, 2009), your proposal establishing a pilot program for Yolo County, allowing any local election to be conducted entirely by mail.

The Committee has adopted a position of **Support, if amended** to include a provision that the mailed ballot election would be restricted to an established mailed ballot election date as set forth in Section 1500 of the California Elections Code. While the proposal does limit elections conducted under the pilot program to dates other than a statewide primary or general election, the possibility for voter confusion remains, should the all mail election be held on a date on which other local elections have been called to be conducted at the polls, particularly in the event these jurisdictions should happen to overlap.

Since the election official has no authority not to conduct an election called by a local jurisdiction, nor does the election official always receive notice of an order of election in advance of the 88th day prior to the election, limiting the days on which different types of elections can be held is a necessity. If the dates set out in Section 1500 are not sufficient to meet the needs of local jurisdictions, we have no objection to expanding the number or mailed ballot election dates, providing they do not fall on the same dates as the established election dates for polling place elections as set forth in Elections Code Section 1000, and providing such dates fall on a Tuesday that is not the day before, day of, or day after a state holiday.

The Committee applauds your efforts to expand the use of vote by mail elections. Our experience has shown that vote by mail increases participation in the democratic process. Should you have an interest in expanding your pilot program, several other have counties expressed a willingness to join in your effort. 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