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**CALIFORNIA ASSOCIATION OF
CLERKS AND ELECTION OFFICIALS**

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March 18, 2009

Assembly Member Sandré Swanson
State Capitol
P.O. Box 942849
Sacramento, CA 94249-0016

Dear Assembly Member Swanson:

The California Association of Clerks and Election Officials Elections Legislative Committee has reviewed **AB 1440** (as introduced February 27, 2009), your proposal allowing elections officials to, in the event of a declared emergency, and in the counties included in the executive order declaring the emergency, upon demand, issue to any person who is a public safety worker, emergency services worker, or other person officially engaged in responding to the declared emergency, a provisional ballot containing statewide candidates and propositions in the county in which they are temporarily located.

This proposal could be interpreted to require a new ballot containing statewide offices and propositions. Though a single statewide ballot may be envisioned, candidates for statewide office are rotated by Assembly District, creating multiple versions of the ballot, expanding further in primary elections to meet the needs of political parties. Additional costs for these ballots would initially be passed on to the State through the SB 90 process, however, as counties have experienced for many years, the State has a history of suspending reimbursement or failing to fund mandates, leaving counties to meet the expectations of voters.

The Committee is very understanding of the reasons for this legislation and discussed some alternative proposals which would not necessitate the creation of additional versions of the ballot, including possibility of faxing voters' ballots, as is done with military voters. Election officials can provide very quick turnaround on faxed ballots, which provide the workers with not only the ability to cast a ballot not only on statewide candidates and issues, but on very important local contests as well. Depending on the emergency, fax machines are often available emergency operation and forward command centers.

We would appreciate working with you and your staff to draft language that would meet the needs of voters and election officials alike. Please feel free to contact me at the Sonoma County Clerk-Recorder-Assessor's Office (707-565-1876) or either Jill Lavine, Sacramento County Registrar of Voters (916-875-6060) or Deborah Seiler, San Diego County Registrar of Voters (858-565-5800), CACEO Elections Legislative Committee Co-chairs.

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
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