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CALIFORNIA ASSOCIATION OF CLERKS AND ELECTION OFFICIALS

Rebecca Martinez, President
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* non-voting member

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March 20, 2010

State Senator Leland Yee
State Capitol Rm. 4074
Sacramento, CA 95814

Dear Senator Yee:

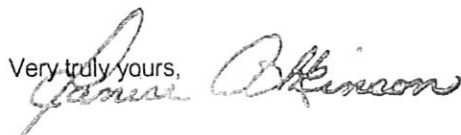
The California Association of Clerks and Election Officials, Elections Legislative Committee has reviewed **SB 1140** (as introduced February 18, 2010). While we share your concerns regarding California's low voter turnout, and wish to address this issue in some manner, we have grave concerns regarding the proposal as written. At best, it is felt that the proposal is premature, and that we should wait until such time as VoteCal is functional before embarking on a "one-stop" voting proposal. At worst our concerns regarding the issuance of a regular ballot to voters at a "one-stop" voting location could jeopardize election results due to fraudulent voting.

The following are some of the concerns of the Committee:

- There is currently no method of issuing a "regular" ballot in the office of the Elections Official, if a "regular" ballot is a ballot dropped directly into a ballot box, not enclosed in an identification envelope. Ballots must be reconciled as to the numbers issued, and without a system in place to track the issuance of ballots, it would be impossible to do so.
- Treating the ballots of voters who could not be properly identified as vote by mail ballots could cause confusion with regular vote by mail ballots, and inadvertently be included in the vote count despite the lack of identification.
- Because ballots are required to be counted with like ballots, by voting precinct, the voted regular ballots would somehow have to be segregated by precinct as many counties do not print precinct numbers on the ballots. Requiring counties to print precinct numbers on the ballot would not only be costly, but would increase the numbers of ballots required to be kept on hand at the polling location manifold. Los Angeles County alone has approximately 5,000 voting precincts.
- Keeping regular voted and unvoted ballots, rosters, lists of voters and other materials secure during early voting periods would present numerous issues, and at best would be costly, at worst could jeopardize the outcome of the election.
- There would be no way to update the indices at the polls on election day, to prevent a voter from voting twice, if a voter who was already registered chose to re-register and vote at a one-stop location. Electronic poll books would be costly, and attempting to update them prior to issuance would be impossible. Online access at each of the polling locations would be so costly it would not be feasible. It is not anticipated to have VoteCal available at the polls.
- The one-stop locations would be required to serve as the polling place for any precinct in the county. While this would be feasible at the Election Official's office, it would not work at early voting locations or polling places or at one-stop locations set up in the community for every 100,000 voters. Each election there can be hundreds of variations of ballots in each county. This bill would require that all variations of the ballot be available at each of the one-stop voting sites – and that the pollworkers have the ability to determine the voter's correct version of the ballot, locate and issue it to the voter. Because counties are not allowed to provide all touchscreen voting at the polls, this would require voluminous amounts of paper ballots. Most polling locations do not have sufficient room to have this many versions of the ballot organized and available.

- Crowds of potential voters could overwhelm election offices or early voting sites. In San Diego County voters waited up to five hours to vote at early voting sites prior to the 2008 General Election.
- Allowing voters to register or re-register to vote on election day could have a serious impact on partisan offices in a Primary Election.
- Treating the ballots of voters who could not be properly identified as vote by mail ballots could cause confusion with regular vote by mail ballots, and inadvertently be included in the vote count despite the lack of identification.

We would be happy to meet with you or your staff to discuss our concerns in further detail. If you have any questions or concerns please feel free to contact me at the Sonoma County Clerk-Recorder-Assessor's Office at 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