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## CALIFORNIA ASSOCIATION OF CLERKS AND ELECTION OFFICIALS

March 21, 2007

Senator Ron Calderon State Capitol, Room 5080 Sacramento, CA 95814

Dear Senator Calderon:

The Elections Legislative Committee of the California Association of Clerks and Election Officials (CACEO) has reviewed **SB 439** (as introduced February 21, 2007).

The Committee adopted a position of **Support if amended** to clarify that the liberal construction, to ensure that write-in votes will be counted if voter intent can be determined, is specific to a *manual* recount. The manual recount period is not restricted by the statutory 28-day timeframe as is the official canvass, and, unless the outcome of the contest is changed as a result thereof, a recount is paid for by the person requesting the recount. Such an amendment would ensure that votes may be tabulated electronically in a timely manner, yet will guarantee that voter intent will be honored in the event of a manual recount.

Should you have any questions in this regard, please do not hesitate to contact me at the Sonoma County Clerk-Recorder-Assessor's Office, (707) 565-1877.

Very truly yours,

Janice Atkinson, Correspondence Secretary Elections Legislative Committee California Association of Clerks and Election Officials

c: Senator Ron Calderon, Chair, Elections, Reapportionment and Constitutional Amendments Committee Assembly Member Curren Price, Chair, Committee on Elections and Redistricting Deborah Seiler, Co-Chair, CACEO Elections Legislative Committee Jill Lavine, Co-Chair, CACEO Elections Legislative Committee