

**OFFICERS 2012-2014**

CATHY DARLING ALLEN  
PRESIDENT  
Shasta County  
NEAL KELLEY  
VICE PRESIDENT  
Orange County  
DEAN LOGAN  
TREASURER  
Los Angeles County  
SUSAN M.RANOCHAK  
SECRETARY  
Mendocino County

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**APPOINTED:**

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SACHI HAMAI  
Los Angeles County  
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KATHIE MORAN  
Colusa County  
KAREN RHEA  
Kern County  
JULIE RODEWALD  
San Luis Obispo County  
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Tehama County  
LARRY WARD  
Riverside County  
DAWN ABRAHAMSON\*  
Fremont City Clerk  
\* non-voting member

**ADVISORY COUNCIL:**

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Contra Costa County  
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Madera County  
GAIL L. PELLERIN  
Santa Cruz County

**ELECTED AREA CHAIRS:**

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Northern Area  
Lassen County  
KAMMI FOOTE  
Southern Area  
Inyo County  
JILL LAVINE  
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AUSTIN G. ERDMAN  
Central Area  
San Joaquin County  
ELMA ROSAS  
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Santa Clara County

**LEGISLATIVE COMMITTEES**

**CLERK OF THE BOARD:**

SACHI A. HAMAI  
Los Angeles County  
JOHN MCKIBBEN  
Los Angeles County

**COUNTY CLERK:**

KATHIE MORAN  
Colusa County  
CRAIG KRAMER  
Sacramento County

**ELECTIONS:**

JILL LAVINE  
Sacramento County  
KAREN RHEA  
Kern County



**CALIFORNIA ASSOCIATION OF  
CLERKS AND ELECTION OFFICIALS**

**CATHY DARLING ALLEN, PRESIDENT**

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April 2, 2013

Assembly Member Rudy Salas, Jr., Principal Coauthor  
PO Box 942949  
Sacramento, CA 94249-0032

Dear Assembly Member Salas:

The California Association of Clerks and Election Officials Elections Legislative Committee has reviewed **SB 401** (as introduced February 12, 2013), a bill that you have coauthored with former Senator Rubio. This proposal would delete the existing requirement that a voter be unable to personally affix their name and address in order to request that another person complete this on their behalf on the petition or nomination paper. The Committee has not taken a formal position but would like to express concerns.

County election officials are charged with the duty of receiving and validating signatures appended on petitions and papers relating to statewide and local issues. Cities and District official also rely upon the county election official for assistance when reviewing a petition or paper. Determining which voter may be entitled to sign the petition or paper is at the core of verification. This determination is substantiated by comparing the voter's signature and printed address on the document to their signature and address on their voter registration affidavit. The integrity of the petition balances on that fact and determination. In *Mapstead v. Anchundo* (1998), it was stated, "*Both the additional attention of the signer (who must personally affix the information) and the result (the additional ability to verify that the signer was actually involved in the process) aid in preventing forgery and other potential abuse. The Court further stated, 'In addition, the requirement that the signer personally affix the information ensures that the signer, at the time of signing, has actually affirmed the residence address placed on the petition. This affirmation goes to the very heart of the process-the Registrar's ability to verify whether those who signed the petition were entitled to do so.'*"

We strongly believe that the voter who has the ability must personally affix their name, address and signature in order to determine the validity of the petition or paper. This key provision of law has been upheld by the courts as it has long protected the petition process and has led to fraud prevention.

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: Honorable Nancy Skinner, Chair, Assembly Rules Committee
- Honorable Darrell Steinberg, Chair, Senate Rules Committee
- Jill Lavine, Co-Chair, CACEO Elections Legislative Committee
- Karen Rhea, Co-Chair, CACEO Elections Legislative Committee
- Barry Brokaw, Sacramento Advocates