

**OFFICERS 2006-2008**

**STEVE WEIR**  
PRESIDENT  
Contra Costa County  
524 Main Street  
Martinez, CA 94553  
(925) 646-2955  
swehr@ct.cocounty.us

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\* non-voting member

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**ELECTIONS:**

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Solano County



# CALIFORNIA ASSOCIATION OF CLERKS AND ELECTION OFFICIALS

September 15, 2006

The Honorable Arnold Schwarzenegger  
Governor, State of California  
Attn: Cynthia Bryant  
State Capitol  
Sacramento, CA 95814

Dear Governor Schwarzenegger:

The California Association of Clerks and Election Officials (CACEO) is writing to inform you that it has removed its position of Support If Amended in regard to AB 2769 and SB 1235. The Association would like to express its concerns about these bills as written, and forwarded for your signature. Our Association met with the authors' staffs to discuss our concerns while there was ample opportunity for amendment. In doing so, our representatives were under the impression that there was agreement for our requested amendments. Unfortunately, the amendments did not appear in the final copy of the bill.

Our concerns focus on the inclusion of Absentee and Provisional Ballots in the 1% Manual Tally. The purpose of the 1% Manual Tally is to check the accuracy of the tabulation of the vote counting equipment. This is a requirement of the Official Canvass, and, as such, must be completed prior to certifying the vote and announcing winning candidates.

The 1% Manual Tally is generally performed shortly after Election Day, using the precinct results from the Official Semi-Final Canvass from Election Night for comparison to the manually tallied ballots. Absentees and Provisional Ballots require individual verification, and in the case of provisional ballots, significant research prior to counting. This labor-intensive task is taking place during the same time period as the 1% Manual Tally is being conducted. In larger counties, such as San Diego and Los Angeles, the verification of Absentee Ballots and research of Provisional Ballots is often not completed until the end of the canvass. If it is mandated that we include the Absentee and Provisional Ballots in the 1% Manual Tally, it will be necessary to wait until these tasks are complete, and will quite possibly delay the certified election results and exceed the statutory canvass period.

Election Officials have ongoing concerns in regard to the manner in which the 1% Manual Tally must be conducted, resulting from the passage of SB 370 last year. We would welcome the opportunity to revisit the issue next year in hopes of addressing the concerns of authors while continuing to meet the administrative and logistical confines of the canvass. Should you or your staff have any questions in this regard, please do not hesitate to contact me at the Sonoma County Registrar of Voters Office, 707-565-6814.

Very truly yours,

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

cc: Senator Debra Bowen, Author, SB 1235  
Assembly Member John Benoit, Author AB 2769  
Jill Lavine, Co-Chair, CACEO Elections Legislative Committee  
Deborah Seiler, Co-Chair, CACEO Elections Legislative Committee