

## RESPONSE TO DEPARTMENT OF FINANCE

By Claimant, County of Sacramento

Permanent Absent Voters II  
CSM-03-TC-11

Chapter 920, Statutes of 1994  
Chapter 724, Statutes of 1996  
Chapter 918, Statutes of 2001  
Chapter 922, Statutes of 2001  
Chapter 664, Statutes of 2002  
Chapter 347, Statutes of 2003  
Elections Code, Sections 3200 through 3206

**RECEIVED**

JAN 27 2004

**COMMISSION ON  
STATE MANDATES**

The County of Sacramento hereby responds to the response of the Department of Finance, dated December 4, 2003.

First of all, the County of Sacramento concurs with the Department of Finance's analysis, as far as it goes, except for the section which states as follows:

- Maintaining the roll, including purging voters from the permanent absent voter list when the voter files to vote in any statewide direct primary or general election, and reinstating a voter's name on the roll upon the voter's request.

On January 1, 2004, AB 188, Chapter 347, Statutes of 2003 was passed. That legislation enacted and amended, amongst other sections, Elections Code, Section 3206. As presently constituted, this provision now reads as follows:

**3206.** A voter whose name appears on the permanent absent voter list shall remain on the list and shall be mailed an absentee ballot for each election conducted within his or her precinct for which he or she is eligible to vote. If the voter fails to return an executed absent voter ballot for any statewide general election in accordance with Section 3017 the voter's name shall be deleted from the list.

Thus, that bulleted point should now read as follows:

- Maintaining the roll, including purging voters from the permanent absent voter list when the voter fails to vote in any statewide general election, and

reinstating a voter's name on the roll upon the voter's request.

However, because of this legislation, as well as that upon which a test claim is based in Modified Primary, based upon Chapter 898, Statutes of 2000, for these absentee voters, it is necessary to print non-partisan crossover contact cards, which have to be mailed to all permanent absent voters. These are the cards which notify those permanent absent voters who have not designated a party affiliation, to vote in the primary of a given party, provided that the rules of the party allow such voting. This is so that permanent absent voters who have not designated a political party are not disenfranchised from voting in a primary election.

In Sacramento County, there are approximately 15,000 of these cards which have to be processed and mailed for each partisan primary.

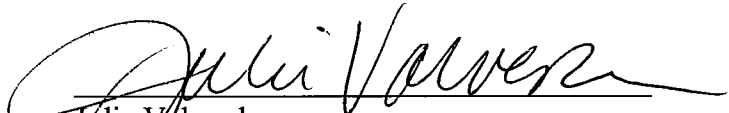
Additionally, there are usually more provisional voters at the polls. These are individuals who have permanent absent voter status, but have forgotten about it, and appear to vote in person. The elections department must make sure that the individual voters are not disenfranchised, while not being allowed to vote twice.

Also, since many voters forget they are on the permanent absentee voter roll, during election time, there are more telephone calls from voters which must be answered.

Furthermore, when the absentee ballots are returned, the signature on those must be compared with the signature on file in the elections department, to make sure that it was the voter who completed and signed the absentee ballot.

Together with the activities listed by the Department of Finance, these are the activities which have been presently ascertained to constitute the reimbursable activities. Claimant reserves the right to make any changes to these activities prior to the hearing on the within test claim.

I declare under penalty of perjury that the foregoing is true and correct, and that this declaration is executed this 20<sup>th</sup> day of January, 2004 at Sacramento, California.

  
Julie Valverde  
Assistant Auditor-Controller  
County of Sacramento

PROOF OF SERVICE BY MAIL

I, the undersigned, declare as follows:

I am a resident of the County of Sacramento, and I am over the age of 18 years and not a party to the within action. My place of employment is 4320 Auburn Blvd., Suite 2000, Sacramento, CA 95841.

On January 27, 2004, I served the Response to Department of Finance, *Permanent Absent Voters II*, CSM-03-TC-11, Chapter 920, Statutes of 1994, Chapter 724, Statutes of 1996, Chapter 918, Statutes of 2001, Chapter 922, Statutes of 2001, Chapter 664, Statutes of 2002, , Elections Code, Sections 3200 through 3206 by placing a true copy thereof in an envelope addressed to each of the persons listed on the mailing list attached hereto, and by sealing and depositing said envelope in the United State mail at Sacramento, California, with postage thereon fully prepaid.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this declaration was executed this 27th day of January, 2004 at Sacramento, California.

  
Declarant

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