

Countywide Services Agency

Voter Registration and Elections



Terry Schutten, County Executive
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County of Sacramento

PERMANENT ABSENT VOTER II DRAFT PARAMETERS AND GUIDELINES 03-TC-11



Response to Comments by Department of Finance By County of Sacramento

The Department of Finance has made numerous comments to the proposed draft Parameters and Guidelines. Unfortunately, some of their comments are erroneous. These are our comments in rebuttal.

Deletion of Following Ongoing Activities

The Department of Finance first requests deletion of "Sending a copy of the permanent absent voter roll to city and district elections officials." We believe this is in error.

The Department of Finance incorrectly refers to Elections Code, Section 2183, which deals with the voter file. The correct code section is Elections Code, Section 3204, which requires the election official to send a copy of the list of all voters who qualify as permanent absent voters to each city elections official or district elections official. There is no language which permits the county election official to recover costs from the districts for this service. Providing a much larger file is an increase on the existing requirement. There should be reimbursement for the difference in costs between the old rules under the prior Absent Voter statutes (which was a small file) and the new requirements (which results in a much larger file). For Sacramento County, the list has grown from just over 9,000 in March of 2002 to over 195,000 for the upcoming November 2006 election. It is for this reason, and the increase in total voters, that we have requested that the two sets of parameters and guidelines be joined, so that the total costs will be reimbursable. This is a continuing, ongoing cost.

The Department of Finance next requests that the following be deleted: "Preparing, printing and sending sample ballots, with additional space for absentee ballot request for those who wish to be permanent absent voters." This also, we believe, is in error.

Elections Code, Section 13315 requires that all sample ballot mailings include an application for an absent voter ballot. This notice has been amended to include a request for permanent absent voter status. The comments by the Department of Finance do not make sense. The absentee ballot mandate does not address permanent absent voter issues, including file maintenance. Requesting permanent absent voter status is a file

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maintenance issue.¹ This mandate should include reimbursement for the ongoing costs associated with permanent absent voter files.

The Department of Finance further requests deletion of: "Additional primary election mailing to all non-partisan permanent absent voters to alert them to primary voting opportunity for that election and prove means for selecting party, prior to mailing permanent absent voter package." We agree that this should be deleted from these Parameters and Guidelines, provided that these activities are included within Modified Primary Parameters and Guidelines.

The Department of Finance also requests the deletion of: "Have permanent absent voter request rules and forms at all counters and on website." We disagree with that request.

Elections Code, Section 3201 clearly states that ". . .the voter shall complete an application, which shall be available from the county elections official, and which shall contain. . ." This code section clearly requires the county to have these forms available to our voters. The code section does not specify that this will only be available on our office counter; rather, it states that the form **shall** be available from the elections official. Many voters with disabilities cannot make it to our office. Providing this form on the website as well as on the sample ballot absentee voter application is complying with this section as well as providing access to voting for all of our citizens. There is no language that states that only an explanation of absentee voter procedures is to be included in absentee ballot mailings: the code clearly states that the form is to be available from the election official. This process is even more applicable in those counties where there may be a large geographical distance from the voter to the elections department. No reasonable person could expect voters to only be able to obtain such materials only at the election counter. This is an ongoing activity.

Move From Ongoing Activity to One-Time Activity

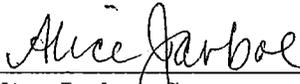
The Department of Finance requests that the following activity be moved from an ongoing activity to a one-time activity: "Sample ballot booklet address and polling place labeling to remind permanent absent voters that they do not need to request an absentee ballot as one will be mailed automatically." This should remain an ongoing activity, as it is a cost savings measure.

For each voter, on the sample ballot booklet and over the absentee ballot request form signature line, we place: "Jane Doe, no need to request an absentee voter ballot. . ." This stops the permanent absent voter requesting an absentee ballot for that election. Voters do not always remember they are permanent absentee voters, and submit the form, thinking that this is needed to be provided in order to obtain a ballot. If a permanent absent voter submits an absentee ballot request, it results in significant staff time to check each request to determine if the voter already has permanent absent voter status and will be automatically receiving a permanent absentee ballot. The cost to "over print" the signature line with this data is approximately \$15,000 for each election. Given the tremendous

¹ See further discussion of Elections Code, Section 3201, below.

number of permanent absent voters, this substantially reduces the cost that staff would incur to process their requests through the absented voter process. This, in turn, reduces the cost we charge against the Absentee Voter mandate through the SB-90 process. It is much cheaper to pay to "over print" the sample ballot booklet than to spend the substantial man hours researching each absent voter request made by a permanent absent voter. This is a continuing, ongoing, cost.

I declare under penalty of perjury that the foregoing is true and correct, and that this declaration is executed this 27th day of October, 2006, at Sacramento, California.



Alice Jarboe, Sacramento County Elections

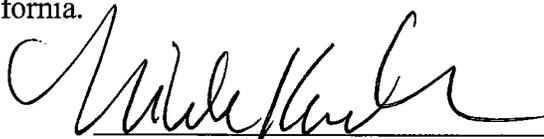
PROOF OF SERVICE BY MAIL

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 November 2, 2006, I served the Response to Department of Finance - Proposed Parameters and Guidelines, *Permanent Absentee Voters II*, 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 States 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 2nd day of November, 2006, at Sacramento, California.



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